

SENATE.

WEDNESDAY, January 10, 1923.

(Legislative day of Tuesday, January 9, 1923.)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13481) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes.

Mr. McNARY. Mr. President, on behalf of the Committee on Appropriations I propose the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 36—

Mr. HARRISON. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Gerry	McKellar	Smith
Bayard	Hale	McLean	Smoot
Borah	Harrell	McNary	Spencer
Broussard	Harris	Moses	Stanley
Bursum	Harrison	Nelson	Sterling
Calder	Heflin	New	Sutherland
Cameron	Johnson	Nicholson	Townsend
Capper	Jones, N. Mex.	Oddie	Trammell
Caraway	Jones, Wash.	Overman	Underwood
Couzens	Kellogg	Pepper	Wadsworth
Culberson	Kendrick	Phipps	Walsh, Mass.
Cummins	Keyes	Poinderter	Walsh, Mont.
Curtis	Ladd	Ransdell	Warren
Dial	La Follette	Reed, Mo.	Watson
Dillingham	Lenroot	Reed, Pa.	Weller
Fernald	Lodge	Sheppard	Willis
Fletcher	McCormick	Shortridge	
George	McCumber	Simmons	

Mr. LA FOLLETTE. I wish to state for the record that the Senator from Nebraska [Mr. Norris] is detained from attendance upon the Senate owing to a death in his family. I ask that this statement may stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present.

Mr. McCUMBER obtained the floor.

Mr. McNARY. Will the Senator from North Dakota yield for the purpose of getting before the Senate the amendment which I sent to the desk a moment ago?

Mr. McCUMBER. I yield for that purpose.

The VICE PRESIDENT. The amendment will be stated.

The READING CLERK. On page 36, line 7, after the word "forests," insert:

And the Secretary of Agriculture may hereafter, in his discretion, permit timber and other forest products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated.

RURAL MARKETING AND CREDIT FACILITIES.

Mr. McCUMBER. Mr. President, I desire very briefly to address the Senate generally upon the pending bill, and in connection therewith to refer also to certain other bills, all of which have to do with agriculture and agricultural products.

The Agricultural Department appropriation bill contains very many provisions which are intended for the benefit of the agricultural situation. There has been reported into the Senate a few days ago the Capper bill. That, for the most part, related, as it was introduced—and I have not read it since it was reported back to the Senate—to the stock-raising industry. Then the Lenroot bill, I am informed, which has to do with agricultural credits, will soon be brought before the Senate. Then the Norris amendment to the shipping bill is before us under a unanimous-consent agreement at all times whenever the shipping bill is brought forward. Then we have the Bursum bill, which proposes to loan to Germany not to exceed \$1,000,000,000, the proceeds of which are to be used in the purchase of American farm products.

And so, Mr. President, with ever-increasing gravity the agricultural problem is forced upon the attention of Congress. Even prior to the World War there had grown up such a disparity of earning power between the rural and urban populations of the country that Congress had begun to give special assistance to the farming public. The principal complaint at that time was the high rate of interest imposed on both farm and chattel mortgage loans. Our first effort, therefore, was to assure to the farmer a lower rate of interest. To that end we organized the rural credits banks, a system somewhat bulky and top-heavy, but which has been of considerable advantage to the few who could borrow through this agency. These

banks, unable to meet the demands upon them, the Government came to their assistance and appropriated money by the hundreds of millions to increase their ability to meet the situation.

During the war and for a year thereafter the Government guaranteed a minimum price for wheat. Following this the Government, through the War Finance Board, buoyed up prices by furnishing funds to market the farmer's product abroad, to cash the I. O. U. of the foreign governments for the farmer's benefit; and we are still waiting for the cash to be returned by such foreign governments.

So the farmer has no right to complain of any lack of governmental activity or interest in his behalf. Outside of actually purchasing the farmer's crop at a fair profit to the farmer, the Government has done all it could do along the line indicated to assist agriculture. Still the demand persists for further aid. And so to-day we have before us divers bills, some dangerously paternalistic, to assist agriculture.

Mr. President, we are met at the outset with this situation: Either the Government must go into the business of price fixing of the farmer's products all along the line, creating a precedent for the price fixing of every commodity in the country, or it must find some other way to assist the farmer in securing a just reward for his labors. There is no use of our attempting to evade or side-step the real question that confronts us. The farmers generally, and especially in those States where they raise only cereals, are not asking for further credits. They freely admit that they have borrowed again and again until their borrowings are as much as their property can possibly support. So almost with one voice they are saying: "We do not want to increase our indebtedness. Borrowing from one kind of bank to pay another is not reducing our debts one cent. Our creditors are willing to give us any extension if we can give any reasonable assurance of our ability to pay in the future." In my State they say: "This year we raised a good crop after three years of almost total failures in some sections. But after putting in our own year's labor and that of our whole family without compensation, and after paying for the extra help needed in harvesting and threshing, there is not sufficient left from the proceeds of our crop to pay the taxes for the year 1922 on the lands on which such crops were raised. What we do want is a price for our product that will enable us to pay for raising it and have something to apply upon our debts. We, therefore, want the Government to purchase what crop we have on hand this year, paying \$2 per bushel for wheat, and to guarantee \$2 per bushel for what we can raise next year."

And, strange as it may seem, some of the banks of the State which have so lustily damned the farmers for their paternalistic and socialistic government operation theories, when they begin to feel the pinch as the farmers feel it, are shouting louder than are the farmers themselves for Federal fixing of grain prices.

In my humble opinion, none of the bills reported will of themselves bring about what the farmer, the cereal raiser, is demanding. If we are to give the relief which is actually needed we will necessarily have to comply with the demand for price fixing in time of peace. When I look down the vista of the future and contemplate the result of such a paternalistic step, I confess I stand appalled. Once establish the precedent, I can see no limit to its application. First paternalism, then socialism, and well may we thereafter write Byron's doleful tale—

* * * barbarism at last,
And History, with all her volumes vast,
Hath but one page.

Have we exhausted every means to promote the welfare of the grain producer of the country without responding to this demand for price fixing? I repeat, the bills before Congress are but makeshifts. They do not meet the demand of the grain raiser.

Congress naturally balks at the proposition of taxing all of the people to bolster up the price of a commodity produced by one class. The argument is made, and it is a very strong one, that when the Government starts guaranteeing the price of one commodity for one class there is no stopping place. The system will gradually but surely be extended to cover other classes until all industries, including those in process of hatching, must come under governmental wings.

For instance, our farmers raise wheat, oats, rye, barley, and flax. One farmer may raise only rye. We should not be helping him by guaranteeing the price of wheat or oats. In many instances he has already seeded for next year's crop of rye. All of these cereals are now selling at desperately low prices. We must, therefore, fix the price for rye, barley, and oats as well as wheat. When we have done this then many lines of

industry whose mills have been idle since the war will want a living price fixed that will start their wheels moving. Then will come the coal miners and they will say, "Only one-third of our men are at work and we want the Government to support the other two-thirds who are idle." Where is the stopping place if we once enter upon a program of price fixing in time of peace? It is not strange that statesmen stand appalled at the consequences of embarking upon such a policy.

Great Britain has entered on the suicidal policy of supporting the unemployed. What has happened? Labor unions have made the wage scale so high that they have killed many of the industries of that Empire. The Britisher can not produce at a cost that will allow him an opportunity to compete with other countries. The first result of this policy is closed mills and idle labor. The second result is that \$500,000,000 a year is paid by the taxpayers of Great Britain to support the unemployed. The third result is that taxes have become so heavy that the very source of taxation itself is being undermined or entirely destroyed. If the policy is continued, it can easily be guessed what the end will be—national bankruptcy.

For my part, I would deem it a safer policy for the Government to give directly than to embark upon an indirect charity giving. We have given mighty sums of money to Russia, which is responsible for its own demoralization and consequent starvation. Can we not do likewise for the people of this country who are not responsible for the depressed price of their cereals? And, above all, can we not do so when we know that Congress itself, the Government itself, is to a very great extent, by its policy of interference in private business, responsible for the great disparity between what the farmer receives for his product and what he has to pay for the products of others? The Congress is responsible for the excessive freight rates the farmers must pay. Through a policy which it has followed for the last quarter of a century it is responsible for the high cost of living throughout the country.

When you answer the farmers' request that you guarantee the price of his wheat you say that it is not a function of Government to fix the price of any commodity. But he can immediately and most truthfully reply, "You have done that very thing. You have fixed and guaranteed a minimum wage scale on every railroad in the country. Not only that but you have saddled on me the main cost of fixing the minimum price for the commodity of this other class. You by a direct law fixed the wage of everyone connected with the handling and transportation of my grain. You then permitted freight rates on my grain to be doubled to meet that cost. You not only encouraged this but you absolutely brought about this result by direct class legislation. Then you created boards to fix wages in transportation and coal mining and other great industries, and those boards have increased the wages and the profits, or at least the charges, until the price for coal has doubled, and our people are freezing for want of it. Having brought our discomfiture by your policy of price fixing for all other classes, having by your boards for the settlement of disputes advanced wages and then prices without any consideration for the public, which must pay the bills, you have doubled and trebled the price of everything which we must purchase, and now you force us in self-defense to ask you that you fix a living price for our commodity that we may be able to purchase the ordinary necessities of life which have been so greatly enhanced by your own price-fixing activities."

Mr. President, there is no legitimate answer to these accusations. The Adamson law was iniquitous, both in relation to the political purposes which begot it and in its dire consequences. There is a far greater moral duty to fix a living wage for these farmers who are bankrupt than there was to step in and fix a wage for railway employees who were then receiving fair wages.

I admit that we have the power under the interstate commerce clause of the Constitution to control the wage scale of those employed in interstate commerce. But the framers of our Constitution never dreamed of such a reckless and unprecedented use of the power given. From time immemorial Governments have exercised a control over quasi public utilities and corporations but for the one single purpose, that of protecting the public against unjust and exorbitant rates. Who, therefore, ever dreamed in 1783 that this power would be invoked, not to prevent excessive charges, but to increase the charges to the public—to force excessive charges? Therefore, so far as the farmer is concerned, he has precedent on his side for price fixing, and he has justice on his side because he has been made the victim of previous price fixing.

I come now to the consideration of two bills. One is to fix the farmers' borrowing capacity. That may help him slightly.

It will not help him any in my State, because he has gone to the limit of his credit.

The other is to induct the Government into the business of buying and selling the products of the country. That is socialistic, pure and simple. But assuming that the very critical situation of the farmers in North Dakota and eastern Montana would justify the adoption of this most dangerous precedent, we are met with the question: How is the farmer to be benefited? You create a corporation; you take the taxpayers' money and put a hundred million dollars of it into the hands of this corporation, and you say, "Go ahead, buy and build and operate elevators and warehouses. There is no limit to the price you may pay." And, of course, the commission will feel it must go ahead, no matter to what extent it is being held up, no matter though it must pay \$24 per day for bricklayers and plasterers, and build or buy elevators and warehouses.

Mr. President, you would better, a thousand times better, purchase the farmer's product outright, selecting those products whose prices are the lowest or their purchasing power the lowest, and give the farmer a living price for them; then sell the same goods for what they may bring in the open markets and charge the difference to loss; for, as surely as the sun shall rise to-morrow, if we start the Government into the business of buying or building elevators and warehouses and buying and selling the farmer's products, we will lose in a very few years many times this difference.

But let us follow the bill. Suppose you have bought sufficient storage capacity. What are you then to do? You are to buy the farmer's product. You are not limited to wheat, oats, barley, and other cereals which are excessively low in price, but you are to buy anything the farmer produces, and then you are to sell it. To whom are you to sell it? To the same people that the private elevators are selling it to. At what price are you to sell it? There may be two answers to this question. One is, for what the product will bring in the open market. The other is that you propose that this commission will buy enough of the grain to corner the market. Now, if that is your purpose, why not say so honestly and fairly? I think even the author of the bill would probably deny that. We have passed many laws to prevent combinations to fix prices, and the author has always voted for them and for the most stringent of them. Does he propose now that the Government shall on its part practice what is declared to be criminal if practiced by an individual or any set of individuals? If that is the purpose of the bill, then it ought to be amended, and either a definite price fixed for the grain to be sold, or the cotton, or the cattle, the milk or dairy products, or eggs, or else it ought to fix some standard of value, such, for instance, as will allow the producer to reap a reasonable profit.

The only excuse on earth, in my opinion, for putting the Government into the business of buying and selling is to increase the price. I know it is stated in the bill that there is an unjust spread between what the farmer receives and what the public pays. I know of nothing, however, that is sold upon so close a margin as grain to the miller; nor do I know of any commodity that is sold on so close a margin as flour to the wholesale trade. The excessive charges paid by the consumer are mostly attached after the product has left the miller's hands and up to the time that it is served on the American table.

But the bill itself negatives the idea of paying a price for the products above the price fixed by the law of supply and demand. It presumes that a profit will be made by the Government, because it provides for the application of those profits toward the wiping out of the original stock issued to the Government. Now, if that is all it is to do, this result will follow: Grain will have to be purchased at such price as the law of supply and demand justifies; it will have to be sold on the same basis; and you know and I know that the cost of operation by the Government will be probably at least twice what the cost of operation would be by private individuals. Therefore the Government, if it follows this rule, not only will not raise to any material extent the price of the farmer's grain above what the law of supply and demand will assure him, but in addition to that the taxpayers of the country will pay hundreds of millions of dollars annually to meet the excessive expense of this gigantic governmental agency.

We have seen the Government operate railroads; we have seen the cost of transportation doubled; and yet the Government was unable to operate at anything but an enormous loss, even with these doubled rates. We have seen the same result in the operation of the telegraph and telephones. We have had some experience with the Government buying and selling wheat; but that experience was certainly most detrimental

to the farmer, who under the law of supply and demand would have received about twice as much for his wheat as the Government paid.

Mr. President, my own stricken State has had some experience in State operation of business, in attempting to conduct industries which since the beginning of the world's history have been conducted by private individuals, by men who had no taxing power behind them to meet losses incurred through extravagance or inefficiency, by men whose very livelihood and whose success depended upon their putting into the equation the greatest possible energy and industry, the greatest possible degree of intelligence, study, and perseverance. Our experience is but a repetition of the experience of every previous governmental attempt at conducting business or industry, those fields of opportunity which I maintain belong of right and exclusively to the people, to the end that individuality and human progress, which is dependent upon it, shall not be halted in their onward march. An industrial world, with its human possibilities, where the star of individuality, hope, and aspiration never sets, and where the penalty of sloth, indifference, or inefficiency is never remanded, is just as necessary for the growth of intellectuality and genius as the free air of heaven to life itself.

It may be, Mr. President, that in a small or unimportant municipality or where the microbes of graft, extravagance, and political influence have not yet stricken the body corporate, government operation may not have resulted in any great evil further than that of driving the citizen from one employment into another which may already be overcrowded. Still, it would be far better that the Government should restrict itself to its function of making and enforcing laws to govern the transactions in all kinds of business than to attempt to operate those businesses itself.

I shall not, Mr. President, attempt either to condemn or to excuse anyone connected with our State affairs—our operation of private enterprises by the State itself. I can only speak of the result. The main, the important, result of State operation is that while the taxes on farm lands have increased from 300 to 400 per cent above normal the product with which the farmers must pay those taxes is far below normal.

So in this bill I see every danger of Government operation—inefficiency, extravagance, and enormous ultimate losses to be met by heavy additional taxes—and at the same time I can see no material benefit to the farmer himself.

With a bankrupt and devastated Europe unable to purchase our surplus, that surplus drives all buoyancy out of the heart of trade. I, however, look forward to much better prices this year, because I know that the present depressed price will result in diminished acreage sown to wheat, at least, and a probable diminution of our surplus. I look forward also to the settlement of the German reparations, to the repudiation of her paper marks, and the reinstatement of a stable currency. This settlement will increase her ability to purchase, will help other countries in their trade with her, and thereby increase the ability of all to purchase our food products.

In the meantime, Mr. President—and here I come to a crucial point in this discussion—what can we do to increase and maintain better prices in this, our own, country for farm products?

Let us first diagnose the farmer's case. It is a simple one. Without any organization to fix the prices of his own products, he is the victim of organizations which have boomed the cost of everything which he must purchase. The remedy, therefore, while involving a most radical departure from old methods of marketing farm products, is equally simple. This remedy is counterorganization—an organization which will hold every bushel of wheat from the market until a living price therefor is secured; that will hold every bushel of rye and barley and other cereal until a price is received which will give the producer something to live on—an organization that will hold on the farm every steer and hog, every bale of cotton, until a just and living price is realized. In that manner, and in that manner alone, can the farmer match the price of his product with that of everything he trades that product for.

A bill for such an organization under general Federal supervision sleeps quietly in the Committee on Agriculture and Forestry, while other bills that but scratch the surface of the difficulties are being pressed upon the attention of the Senate. This bill may well be described as "An act for a comprehensive system of cooperation in the marketing of all farm products." It provides for an association of farmers in each State for the cooperative selling of the products raised by such association, these associations to be organized under a general plan that will comprehend all important farm products. The several State organizations are to appoint not

more than three agents whose duty it is to represent, advise, and assist the State associations in the marketing of their products, whether within their own States or at any place of consumption.

All of these State associations and their agents would be brought under the general direction of a board consisting of five members appointed by the President. This board would provide for a system of terminal marketing, having in view the purpose of bringing the producer and the ultimate consumer of products into as nearly direct relation as possible, to render advice at all times concerning the state of the market, to seek new markets, to secure a steady flow of farm products into those consuming centers, to prevent glutting the market at any time, to stabilize prices, to check the flow of any commodity entirely when the markets are glutted and until the congestion is relieved.

Not only this, Mr. President, but under such an organization we would rid ourselves of this constant agitation over what we denominate "liquid assets" in the conduct of our Federal reserve banks.

Mr. POINDEXTER. I would like to ask the Senator why it is that legislation is necessary to bring about that result. I understood that we enacted a law not so long ago, a permissive statute, to relieve farmers of any embarrassment that might grow out of the anti-trust laws.

Mr. McCUMBER. The reason is that there would be considerable objection and a great outcry made against an organization the purpose of which was to check and hold the farm commodities upon the farm until we received a price that would justify our raising the crops. Farmers themselves, feeling that the Government would be back of them and would oversee the conduct of the business, just as it supervises the business of the banking institutions of the country, would encourage and facilitate the very organizations which I desire to see formed. I am willing to admit that the farmers could organize without the law.

Mr. POINDEXTER. Personally I fail to see why there would be any greater outcry against an organization of farmers than there is against an organization of steel men or an organization of men producing farm machinery.

Mr. McCUMBER. The question is whether we would have the organization at all. There was nothing in the law to prevent regional banks loaning upon farm securities and selling their bonds. They could have done that without any special law of Congress, but they never did it until Congress authorized it and set a certain character of control over it. Then they organized, and much benefit has accrued from that organization. But it can not meet the situation which we have to-day.

Mr. FLETCHER. Mr. President, may I ask the Senator whether he is referring to some bill now before the Committee on Agriculture and Forestry?

Mr. McCUMBER. I am.

Mr. FLETCHER. Will the Senator give the number of that bill?

Mr. McCUMBER. I can not give it now, but I will give the Senator the number later. It was reintroduced at the beginning of the last session, as I remember, and was with the committee when the Congress adjourned.

Mr. FLETCHER. Does the bill call for the Government furnishing any of the capital?

Mr. McCUMBER. No; it does not call for the Government furnishing one penny of capital. I am speaking now of the Federal reserve banks and the discussion of liquid assets.

With such regional associations as this bill provides, the banks could secure the credit of each organization as a whole, and with such a credit paper could be sold at any time. It is the certainty that the paper will be met when it is due that makes it liquid, rather than the very short time which it may have to run.

In many cases of bank failures in my own State I have found that what bankers generally denominate "liquid assets" are the least liquid of any that come into the hands of the receiver, namely, the short-time notes. A liquid asset is that which can be most readily transferred and converted into money. Whenever one of these banks failed there were many investors who investigated to ascertain whether among the assets could be found good real estate secured paper. It mattered little whether that paper was due in one year or five years, it found a ready purchaser for cash. So, Mr. President, these associations could give to the bank paper having back of it the guaranty of a hundred or a thousand members of the organization, which would be far more safe than most of the paper taken by the banks to-day, and I am not criticizing them for not extending their credits further than they do.

Thus, Mr. President, by this bill, if enacted into law, the farmers themselves could fix a living price for their products,

and through their cooperation they could furnish the security to borrow money to hold those products until they receive such price. That bill will answer to a great extent, and in the end will answer fully, the demand of the farmer for a living price for his product, without plunging the country into the infinitely evil pathway of purchasing the product of the labors of its people to maintain a living price. All other schemes for the stabilizing of prices of farm products have failed, and all will fail until a means has been found whereby farm organizations may pit their powers against those other organizations which are to-day squeezing the very lifeblood out of more than one-third of the population of this country.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13374) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1924, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 966) for the relief of the Tacoma Tug & Barge Co., and it was thereupon signed by the Vice President.

PETITION.

Mr. NICHOLSON presented a petition of sundry citizens of Montrose and vicinity, in the State of Colorado, praying for the passage of legislation extending immediate aid to the peoples of the German and Austrian Republics, now famine stricken owing to scant crops and money depreciation, and the purchase in the United States of sufficient food supplies to tide over the winter the suffering millions, which was referred to the Committee on Foreign Relations.

REPORT OF COMMITTEE ON CLAIMS.

Mr. NEW, from the Committee on Claims, to which was referred the bill (S. 2002) for the relief of Charles D. Shay, reported it with an amendment and submitted a report (No. 1001) thereon.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WADSWORTH:

A bill (S. 4310) for the relief of the owners of the steamship *Mohican*; and

A bill (S. 4311) for the relief of the owners of the steam lighter *Comport*; to the Committee on Claims.

By Mr. CALDER:

A bill (S. 4312) to amend subdivision (a) of section 206 of the transportation act, 1920, as amended; to the Committee on Interstate Commerce.

By Mr. CUMMINS:

A bill (S. 4314) to amend sections 102, 211, 245, and 312 of the Criminal Code; and section 305, paragraphs (a) and (b), of the tariff act of 1922; to the Committee on the Judiciary.

By Mr. WADSWORTH:

A bill (S. 4315) to amend section 2 of the legislative, executive, and judicial appropriation act, approved July 31, 1894; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 4316) granting an increase of pension to Fanny W. Arnold; to the Committee on Pensions.

By Mr. LENROOT:

A bill (S. 4317) granting a pension to Bertha Bassett; to the Committee on Pensions.

By Mr. SMITH:

A joint resolution (S. J. Res. 265) to stimulate crop production in the United States; to the Committee on Agriculture and Forestry.

By Mr. BALL:

A joint resolution (S. J. Res. 266) authorizing the use of public parks, reservations, and other public spaces in the District of Columbia; and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by the Almas Temple, Washington, D. C., 1923 Shrine Committee (Inc.), and for other purposes; to the Committee on the District of Columbia.

AMENDMENT OF DISTRICT APPROPRIATION BILL.

Mr. MOSES submitted an amendment proposing to appropriate \$13,600 for grading Linnean Avenue from Military Road to the grade point south of Albemarle Street; \$1,650 for grad-

ing Albemarle Street between Twenty-ninth Street and Linnean Avenue, and widening the fill on Albemarle Street near Connecticut Avenue for the purpose of providing for sidewalks; and \$1,250 for grading Brandywine Street between Twenty-ninth Street and Linnean Avenue, intended to be proposed by him to House bill 13660, the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMENDMENTS OF AGRICULTURAL APPROPRIATION BILL.

Mr. POINDEXTER submitted an amendment proposing to appropriate \$500,000 and authorizing the Secretary of Agriculture to make advances or loans therefrom to farmers in the drought-stricken areas in the State of Washington (for the crop of 1923) where he finds that special need for such assistance exists, for the purchase of wheat for seed purposes, and so forth, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. LODGE submitted an amendment proposing to increase the appropriation for silvicultural, dendrological, and other experiments and investigations, independently or in cooperation with other branches of the Federal Government, with States and with individuals, to determine the best methods for the conservative management of forests and forest lands, from \$110,000 to \$135,000, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. WILLIS submitted an amendment proposing to increase the appropriation for the control and prevention of spread of the European corn borer from \$200,000 to \$225,000 and to increase the amount that the Secretary of Agriculture may expend only when an equal amount shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations, for the accomplishment of such purposes, from \$75,000 to \$100,000, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to appropriate \$50,000 for the eradication of and supplying of serum for the eradication of the disease of blackleg, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. DIAL submitted an amendment proposing to increase the appropriation for cooperative fire protection of forested watersheds of navigable streams from \$400,000 to \$2,000,000, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. BROUSSARD submitted an amendment proposing to increase the appropriation for sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, from \$94,115 to \$104,115, intended to be proposed by him to House bill 13481, the Agricultural Department appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

ASSISTANT CLERK TO THE VICE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. 401), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 57, agreed to May 2, 1921, authorizing the Vice President to employ an assistant clerk, payable out of the contingent fund, during the Sixty-seventh Congress, be, and the same is hereby, extended in full force and effect until the end of the Sixty-eighth Congress.

ASSISTANT CLERK TO COMMITTEE ON FOREIGN RELATIONS.

Mr. LODGE submitted the following resolution (S. Res. 402), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 448, agreed to March 8, 1921, authorizing the Committee on Foreign Relations to continue the employment of an assistant clerk, payable out of the contingent fund, until the end of the present Congress, be, and the same hereby is, further continued in full force and effect until the end of the Sixty-eighth Congress.

MEMORIAL ADDRESSES ON THE LATE SENATORS KNOX, PENROSE, AND CROW.

Mr. PEPPER. I ask unanimous consent that the Senate convene on Sunday, January 28, at 11 o'clock a. m., to pay tribute to the life, character, and public service of the late Senators KNOX, PENROSE, and CROW.

The VICE PRESIDENT. Without objection, it is so ordered.

SECOND DEFICIENCY APPROPRIATION BILL.

Mr. WARREN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13615) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 10, and 12.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 13, 14, 15, 16, 17, 18, and 19, and agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following: "for the fiscal year 1922 and prior fiscal years."; and, on page 16 of the bill, in lines 16 and 17, strike out the words "including the payment of"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 7, 8, and 9.

F. E. WARREN,
CHARLES CURTIS,
LEE S. OVERMAN,

Managers on the part of the Senate.

MARTIN B. MADDEN,
PATRICK H. KELLEY,
JOSEPH W. BYRNS,

Managers on the part of the House.

Mr. SIMMONS. Mr. President, I would be very glad to have the Senator from Wyoming make a statement to the Senate indicating the changes which have been made by the conferees.

Mr. WARREN. Only three items have been given up by the Senate conferees, and three other items are in disagreement. One of the recessions covered the items in a document containing a list of War Department claims. These claims have been twice passed by the Senate in deficiency bills, and both times we have been compelled to surrender them in conference. And so I have prepared a bill, which I shall introduce presently, requesting its reference to the Committee on Claims; and I shall try to have it approved by that committee. The War Department item consisted of smaller items grouped together, amounting to \$83,000.

One other recession on the part of the Senate conferees was a Post Office Department item of nine or ten thousand dollars.

The third item was a matter of something over \$3,000 which related to the international boundary line between the United States and Mexico.

Mr. SIMMONS. They are substantially the only changes made?

Mr. WARREN. Those are the only changes.

Mr. TOWNSEND. What was the change made in the post-office matter?

Mr. WARREN. Simply in the matter of awards. The House allowed a little less than \$8,000, and the Senate had allowed an additional \$9,000.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WARREN. I desire now to introduce a bill covering the matter in the deficiency bill to which the House did not agree because of one or two items which were not satisfactory, and I ask that the bill go to the Committee on Claims. I further beg to suggest to the Committee on Claims that early consideration be given it.

The bill (S. 4313) for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army was read twice by its title and, with the accompanying paper, referred to the Committee on Claims.

INTERNATIONAL CONGRESS FOR CATTLE BREEDING (S. DOC. NO. 287).

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read and, with the accompanying papers, referred to the Committee on Agriculture and Forestry and ordered to be printed: *To the Senate and House of Representatives:*

I transmit herewith a report by the Secretary of State concerning a request made by the Secretary of Agriculture that specific authorization be obtained from Congress that will

enable the Department of Agriculture to be represented by a delegate in the International Congress for Cattle Breeding, to be held at The Hague in August, 1923, by the payment of the expenses of such delegate (estimated at \$1,500) out of the regular funds provided in the Agricultural appropriation act for animal husbandry investigations (general expenses, Bureau of Animal Industry) for the fiscal year 1924.

I commend the request of the Secretary of Agriculture to the favorable consideration of Congress as in the interest of an important industry of the United States.

WARREN G. HARDING.

THE WHITE HOUSE, January 10, 1923.

DISPOSITION OF USELESS PAPERS.

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, submitting, pursuant to law, a list of papers and documents in the files of his office not needed in the transaction of public business and having no permanent value or historic interest, and requesting action looking to their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. SUTHERLAND and Mr. GERRY members of the committee on the part of the Senate, and ordered that the Secretary notify the House of Representatives thereof.

CALL OF THE ROLL.

Mr. REED of Missouri obtained the floor.

Mr. McKELLAR. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Assistant Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McLean	Simmons
Bayard	Harrell	McNary	Smith
Borah	Harris	Moses	Smoot
Brandeggee	Heflin	Nelson	Spencer
Calder	Johnson	New	Stanley
Cameron	Jones, N. Mex.	Norbeck	Sutherland
Capper	Jones, Wash.	Oddie	Townsend
Colt	Kellogg	Overman	Underwood
Couzens	Kendrick	Pepper	Wadsworth
Culberson	Keyes	Phipps	Walsh, Mass.
Cummins	Ladd	Polindexter	Walsh, Mont.
Curtis	La Follette	Pomerene	Warren
Dial	Lenroot	Randell	Watson
Dillingham	Lodge	Reed, Mo.	Weller
France	McCormick	Robinson	Willis
George	McCumber	Sheppard	
Glass	McKellar	Shields	

The PRESIDING OFFICER (Mr. LADD in the chair). Sixty-seven Senators having answered to their names, a quorum is present. The Senator from Missouri will proceed.

PROPOSED CESSION OF CERTAIN WEST INDIAN ISLANDS.

[Mr. REED of Missouri addressed the Senate. Before concluding he yielded the floor for the day. The entire speech will appear hereafter.]

AGRICULTURAL DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13481) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1924, and for other purposes.

The PRESIDING OFFICER (Mr. REED of Pennsylvania in the chair). The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. McNARY] on behalf of the committee.

Mr. REED of Missouri. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	Lodge	Reed, Pa.
Bayard	France	McCormick	Robinson
Borah	George	McCumber	Sheppard
Brandeggee	Hale	McKellar	Simmons
Broussard	Harris	McNary	Smith
Bursum	Harrison	Moses	Spencer
Calder	Heflin	New	Stanley
Cameron	Johnson	Norbeck	Sutherland
Capper	Jones, N. Mex.	Oddie	Underwood
Caraway	Jones, Wash.	Overman	Walsh, Mont.
Couzens	Kellogg	Pepper	Warren
Culberson	Kendrick	Phipps	Watson
Curtis	Keyes	Polindexter	Willis
Dial	Kling	Pomerene	
Dillingham	Ladd	Randell	
Fernald	Lenroot	Reed, Mo.	

Mr. JONES of Washington. I desire to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is necessarily absent in attendance on a committee meeting.

The PRESIDING OFFICER (Mr. ODDIE in the chair). Sixty-one Senators having answered to their names, there is a quorum present. The question is on agreeing to the amendment offered

by the Senator from Oregon [Mr. McNARY] on behalf of the committee.

Mr. FLETCHER. Let the amendment be stated again.

The PRESIDING OFFICER. The Secretary will read the amendment.

The ASSISTANT SECRETARY. On page 36, line 7, after the word "forests," insert:

And the Secretary of Agriculture may hereafter in his discretion permit timber and other forest products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated.

Mr. FLETCHER. May I inquire of the Senator having the bill in charge what is the purpose of the amendment?

Mr. McNARY. I will state to the Senator from Florida that in the present law there is a prohibition against shipping lumber grown and cut in the forest reserves in one State into another State. This permits the shipment in interstate commerce of timber from any State in the Union to another State.

Mr. FLETCHER. I gathered that that would be the effect of it, but I can not quite see the reason for it. It seems to me that the present law is a very good one. Why should not these resources in the forest reserves be available for the people of the States in which they are situated?

Mr. McNARY. This does not appertain to the income derived from the sales of timber but to the distribution of the converted timber itself. For instance, in the State of Oregon, where the national forests are very large and the consumption of timber is very small, would the Senator be in favor of a law prohibiting the sale of that Government timber in other States? That is the effect of the present law. We want to change the law so that the timber cut in those States where the local consumption is not great may be shipped into other States of the Union for the benefit of all the people.

Mr. FLETCHER. That is just what I am getting at. Of course, where the forest reserves are very large and extensive there might be a reason for it. In Florida the forest reserves are comparatively small; the material coming from them is not very great; and I take it there would be no demand for this sort of legislation there. But in States where the reserves are large, perhaps conditions call for such a provision. That is just what I wanted to know.

If the Senator feels that in those States where these reserves are extensive and the material is not required in the State it is all right, I have no objection to the amendment.

Mr. McNARY. The law covers the situation which we are trying to correct. I present a brief letter covering the point from the acting forester, and inasmuch as the Senator from Florida has withdrawn his objection, I will ask merely to have the letter printed in the Record.

The PRESIDING OFFICER. Without objection, the letter will be printed in the Record.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, January 9, 1923.
FINANCE, AGRICULTURAL APPROPRIATION, 1924.

Memorandum for Senator McNARY.

I inclose herewith a memorandum regarding the timber-sale limitation for your use should you find any need for the information contained therein.

Our actual cut of timber from the national forests now amounts to nearly a billion feet annually. As a matter of fact, probably over half of this actually enters into interstate trade. The language which was stricken out on point of order, and which should be restored, allows foreign shipments. It is our feeling that this is almost as essential as interstate shipments, for the reason that, although no sales are made primarily for foreign export, except in Alaska, lumber from the national forests now enters into the general trade, and practically any cargo shipped from most of the Pacific coast points is likely to contain some such material. It would interject needlessly an embarrassing and troublesome item in the export trade generally. The only direct shipments from national forests to foreign countries that have ever been made to my knowledge were made from the forests of Alaska last summer, about 5,000,000 feet of box and merchantable spruce being shipped from the Territory to Australia. This represents less than one-half of 1 per cent of the estimated annual growth of our forests there. It brought Australian money to the Territory, furnished labor for our own people, and contributed to Australian development timber which would otherwise have gone to waste. It did not deprive our people of a single foot of lumber that they are prepared to use at this time. Until such time as our own market is prepared to take the equivalent of the annual growth from the Alaskan forests I would regret exceedingly to see this growing foreign trade stifled, as it would be if export is restricted.

E. A. SHERMAN, Acting Forester.

UNITED STATES DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, January 9, 1923.
FINANCE—AGRICULTURAL APPROPRIATION, 1924.

Memorandum for Senator McNARY.

In the Agricultural appropriation bill, page 36, line 7, after "forests," insert:
"and hereafter the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the

national forests to be exported from the State or Territory in which said forests are respectively situated."

The foregoing language, with the exception of the word "hereafter," has been carried in the appropriation acts for the Department of Agriculture in this or similar form since March 3, 1905. Without this language forest products could not be sent from one State to another, nor could it enter into foreign trade, for the reason that the act of June 4, 1897 (30 Stat. 11), says that sales may be made of timber "to be used in the State or Territory in which such timber reservation may be situated, respectively, but not for export therefrom." Restriction against export from the State would largely destroy the value of the national forests as Federal property. Receipts from timber sales now amount to about \$2,000,000 annually. Over \$40,000,000 has been invested in logging and manufacturing plants which depend on the availability of national-forest timber for their use, and additional investments are constantly being made as the sales of timber increase. These investments are made by citizens who trust the good faith of the Government. If the bill is not changed, their investments will be lost and no more will be made.

Unless this language is restored an export business which is being built up in Alaska and which uses only a small part of the annual crop from the forests there will be totally destroyed. Furthermore, our plans for the development of the print-paper industry in the Territory would be completely hamstrung by such a restriction. We now have several large and responsible concerns negotiating for the establishment of paper plants in the Territory. Each one involves the investment of millions of dollars. Their product should be placed upon the same basis as the product of any other paper mill.

Inability to export national-forest timber from the State in which it is grown would, for example, make impossible the sale now being advertised on the Malheur Forest, with all the attendant advantages to the local community, since no lumber company would be willing to make the necessary investment in railroad, mill, and logging equipment if its market were restricted to the State of Oregon. And this, in turn, would postpone indefinitely all the advantages to the local community attendant upon this proposed development. Sales of timber, now aggregating about 13,000 in number annually, would be reduced to insignificant numbers if all purchasers were confined to strictly local markets within their respective States. Upon the other hand, nobody could possibly benefit if the private owner of stumpage whose property is intermingled with national-forest timber would be unable to satisfactorily combine his own operations with the removal of the timber from the Government's intermingled holdings.

The act of February 1, 1905, authorized the export of pulp wood and wood pulp from Alaska without mentioning national forests specifically. This probably applies to the national forests, but it does not cover lumber, timber, or paper, and is not sufficient to secure the continuance of the industrial development now under way.

The restriction of the use of national forest timber to the State in which the timber grew would result in a waste of timber rather than its conservation. National forest timber is sold from any given economic unit, such as a large watershed, only in such quantities as represent the harvesting of the crop as it matures, with the aim of having the output of timber continuous and perpetual. To restrict the use of this crop would in many cases result in failure to secure its harvesting at the time it needs it and would leave it to rot within the barrier of the State line, although the people of other States in the Union were in sore need of that very timber. It is also impracticable to organize the business of lumbering on any large scale if the market is restricted, since, for example, many lumbermen fail to find within their own State a market for certain grades of lumber for which there is strong demand in other States.

If any restriction whatever is placed upon the free movement of our timber into the market it will be exceedingly difficult to enforce such restriction. After the logs are sawed and the lumber enters into trade it would be a practical impossibility to distinguish between lumber cut from the national forests and any other lumber. The restriction would be a handicap to an honest operator, but might be safely ignored by a dishonest one. If any attempt were made to enforce it it would result in endless investigations, controversy, and litigation, all to no good purpose.

Such a restriction instead of being in the interest of conservation would actually be an anticconservation measure, since it would prevent these forests from contributing in a maximum degree to the needs of our people. If any limitation is ever placed upon lumber entering into interstate or foreign commerce, the limitation should be a general one and should not be limited merely to the products of national forests.

E. A. SHERMAN, Acting Forester.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HARRISON. Mr. President, may I offer an amendment at this time?

Mr. McNARY. I have one further amendment which I desire to offer in behalf of the committee, but in view of the necessity of the Senator from Mississippi to be absent from the Chamber for the remainder of the afternoon, I told him I would yield for the purpose only of offering his amendment at this time.

Mr. HARRISON. I offer the following amendment.

The PRESIDING OFFICER. The amendment will be stated.

The ASSISTANT SECRETARY. Insert the following as a new paragraph on page 82, following line 16:

That the first paragraph of the section of an act entitled "An act to authorize association of producers of agricultural products," approved February 18, 1922, is hereby amended so as to read as follows:

"That persons engaged in the production of agricultural products, as farmers, planters, ranchmen, dairymen, nut or fruit growers, or producers of naval stores, may act together in associations, corporate or otherwise, with or without capital stock, in collectively processing, preparing for market, handling, and marketing in interstate and foreign commerce such products of persons so engaged. Such associations may have marketing agencies in common; and such associations and their members may make the necessary contracts and agreements to effect such purpose: *Provided, however,* That such associations are operated for the mutual benefit of the members thereof as such producers and conform to one or both of the following requirements."

Mr. HARRISON. The only change in the present law that I propose by the amendment is the insertion of the words "or producers of naval stores." In other words, it would place the producers of rosin and turpentine upon the same basis as to the organization of market associations as the producers of fruits, nuts, and vegetables.

May I say in this connection that the naval-stores industry, the name of the turpentine and rosin industry, has always been identified with the Department of Agriculture of the Government? The appropriations carried for it are always carried in the Agricultural Department appropriation bill. It is under the supervision of the Department of Agriculture. The crop, so to speak, from which the rosin or the turpentine is extracted from the pine is called the orchard. For the past 15 years no industry has been quite so much affected and depressed as has the naval-stores industry. Out of the 15 years last past they have had but one good year, which I think was 1920. The amendment which I have proposed will greatly aid them in the matter, and I hope no point of order will be made against it, so the provision may at least go to conference.

Mr. McNARY. May I ask the Senator from Mississippi whether it more properly should not come in connection with the measure known as the Capper cooperative marketing association act? As the amendment was read from the desk, it would appear that it is in the nature of legislation affecting that act more primarily than it does the pending bill.

Mr. HARRISON. That is true. It is merely an amendment of the first section of that act, but it only seeks to add the producers of naval stores. While I know that a point of order could be made and would be sustained, I hope the amendment may be adopted and at least go to conference.

Mr. McNARY. I will state to the Senator that I did not have the conception that it was in the nature of an amendment to the cooperative organization act. I thought it was coming within the purview of the pending bill rather than legislation apart from it. That being so, it would not stand in conference. I would have to make the point of order here. It would properly come as an amendment to the existing law.

Mr. HARRISON. It would. It would come as an amendment to the other act, but I realize that the calendar is in such condition that it would be very difficult to amend the law in the way we would like to have it amended, and I was hopeful we could get the relief in this manner.

Mr. LODGE. Does the proposed amendment provide for combinations which could be directed against the Government in its purchase of naval stores?

Mr. HARRISON. I think the Senator from Massachusetts will recall that we recently passed what is known as the cooperative marketing act.

Mr. LODGE. I understand that.

Mr. HARRISON. That act permits the producers of nuts, vegetables, fruits, and so forth, to associate themselves together to market their products. The amendment which I have offered merely includes the producers of rosin and turpentine, which are known as naval stores.

Mr. LODGE. It seems to me the difficulty with it is that it is legislating in favor of a combination against the Government's stores necessary for the defense of the country, specifically naval stores.

Mr. HARRISON. Turpentine and rosin are not used in the defense of the Government particularly, may I say to the Senator. The term "naval stores" may be all wrong, but it has come to the point that the term "naval stores" includes turpentine and rosin, and those alone. That is what I am trying to get at. I would just as soon term it "turpentine and rosin" as "naval stores," but it is clearly understood that the producers of naval stores are producers of rosin and turpentine, which have nothing to do with the defense of the country.

Mr. SMITH. Will the Senator allow me to say that the term "naval stores" is a trade name that applies entirely to the products of the pine?

Mr. LODGE. I am aware of that, but they are naval stores just the same.

Mr. SMITH. It is quoted as naval stores. It is known technically around the world as naval stores. It has nothing to do with naval affairs, only I believe they did use some tar once to tar the rope on ships. That might have been where the term originated. "Naval stores" is a technical trade name that applies to the products.

Mr. LODGE. Yes; it is rosin and turpentine.

Mr. HARRISON. I ask permission to modify my amendment by inserting the words "rosin and turpentine," so it will read "or producers of rosin and turpentine" instead of "producers of naval stores." That will remove any ambiguity of the language. I ask to have that modification made, that where it now

reads "or producers of naval stores" it shall be modified so as to read "or producers of rosin and turpentine."

The VICE PRESIDENT. The question is on the amendment as modified.

Mr. McNARY. I regret exceedingly the necessity under the circumstances of again calling the attention of the Senator from Mississippi to the existing rule with respect to legislative matters on appropriation bills. I believe that the cooperative marketing act should be amended so as to include naval stores. I am thoroughly in sympathy with the effort of the Senator from Mississippi and would gladly join him in an effort before the Agricultural Committee to amend the other act. But if the point of order is not made by the Senator in charge of the bill it would be made by others, in view of the rule, and therefore I must invoke the rule.

The VICE PRESIDENT. The point of order is well taken.

Mr. MOSES. Mr. President, are committee amendments now disposed of?

The VICE PRESIDENT. Committee amendments are still in order.

Mr. McNARY. I propose the amendment which I send to the desk.

The VICE PRESIDENT. The Secretary will report the amendment.

The ASSISTANT SECRETARY. On page 80, after line 8, insert the following under the subhead "Maximum salaries":

Hereafter the maximum salary of any scientific investigator or other employee engaged in scientific work and paid from the general appropriation of the Department of Agriculture shall not exceed at the rate of \$6,500 per annum: *Provided*, That for the fiscal year 1924 no salary shall be paid under this paragraph at a rate per annum in excess of \$5,000, except the following: Not more than 12 in excess of \$5,000 but not in excess of \$5,500 each and not more than 5 in excess of \$5,500 each.

The amendment was agreed to.

Mr. LENROOT. I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. On page 71, at the end of line 3, insert the following proviso:

Provided, That said publications shall be deposited one-third in the folding room of the Senate and two-thirds in the folding room of the House of Representatives, and said documents shall be distributed by Members of the Senate and House of Representatives.

The amendment was agreed to.

Mr. BROUSSARD. Mr. President, has the Senator in charge of the bill anything further to propose?

Mr. McNARY. I have one rather informal amendment, but I am very happy to yield to the Senator from Louisiana.

Mr. BROUSSARD. I thank the Senator. On page 30, line 7, I move to strike out the numeral "\$94,115" and insert in lieu thereof the numeral "\$104,115."

The amount proposed of \$94,115 is for the purpose of taking care of certain diseases affecting the sugar-plant industry of the country. Only \$10,000 of that is to be devoted to the sugarcane industry of this country. The entire paragraph reads:

For sugar-plant investigation, including studies of diseases and the improvement of sugar beets and sugar-beet seed, \$94,115.

Mr. President, as my colleague and I have had occasion to ascertain from the Secretary of Agriculture, the department recommended to the Budget Bureau \$10,000 in excess of the amount carried in the bill. The Secretary of Agriculture is thoroughly familiar with the investigations having to do with the mosaic disease in sugar-cane plants. Aside from that, there are other diseases which have materially interfered with the successful growing of sugar cane in this country. The Secretary of Agriculture, as I am informed, desired the appropriation to be sufficient to investigate those other diseases and also to provide for the importation of sugar-cane plants which would mature before the time when the mosaic disease attacks the sugar cane. The other diseases which it is desired to study include red rot, root rot, field leaf, and other diseases which are rapidly spreading in that particular district.

Mr. President, we in Louisiana are the largest sugar manufacturers, but the State of Georgia is the leading sugar-cane sirup State in the United States. The industry is also very important in the States of Mississippi, Florida, Texas, Arkansas, Alabama, and North and South Carolina, and Texas.

We feel, Mr. President, in view of the fact that the recommendation was made without solicitation from any of the sugar interests in this country that this amount be made \$104,115, which represents an increase of \$10,000 over the appropriation of last year, that it is well worthy of consideration in this body. There has been no effort made on the part of any of the sugar interests to have this amount increased; but the Secretary of Agriculture, realizing the necessity for increasing the amount, voluntarily made the recommendation.

I have been informed that the Budget Bureau reduced it to the amount that was carried last year.

I wish to state to those Senators who are present that our product, like that of growers of wheat and other agricultural interests in this country, is being attacked by diseases which have been imported. The department is perfectly willing to make, and realizes the necessity of making, the fight to eradicate them. The amount involved is only \$10,000. I think it would be very unwise for us to yield, I might say, to the arbitrary power vested in the Budget Bureau and strike out an item recommended by an expert in this line. In view of the fact that the Budget Bureau do not know anything of the character or extent of these diseases and what they mean to the industry, I think we are safe in following the recommendation of the Secretary of Agriculture.

I wish to assure the Members of the Senate that none of us tried to get him to increase the amount, but quite to the contrary. I know that applies to me, although I hail from the sugar district of Louisiana. After the appropriation failed to be included my attention was called to it by men engaged in trying to eradicate these diseases, and I was requested, as my colleague was requested, to ask for this increase in order to enable the department intelligently to fight the diseases.

Mr. LENROOT. Will the Senator from Louisiana yield to me?

Mr. BROUSSARD. I yield.

Mr. LENROOT. What is the department now doing under the existing appropriation in reference to this particular matter?

Mr. BROUSSARD. The department is not doing anything at this time except as to the mosaic disease, which was introduced into this country two or three years ago. The Secretary of Agriculture has asked the Congress to appropriate \$10,000 for the purpose of investigating other diseases of the sugar plant.

Mr. LENROOT. Why can not the department use a part of the \$94,000 for that purpose?

Mr. BROUSSARD. I wish to inquire of the Senator from Wisconsin if he is a member of the Committee on Agriculture?

Mr. LENROOT. I am a member of the Appropriations Committee.

Mr. BROUSSARD. I wish to say to the Senator that it has taken me about three days to ascertain exactly what amount was intended to be used in the investigation of the sugarcane diseases. Under the new method of permitting the Appropriations Committee to handle all appropriation bills it is very difficult to ascertain facts, and I have devoted three days of my time in order to find out just exactly whether there was any amount intended for the investigation of the mosaic disease. Only late yesterday afternoon Doctor Ball, after having informed me that it was cared for under another item, stated that it was intended to be taken care of under the item which we are now discussing.

Mr. LENROOT. The item of \$94,115?

Mr. BROUSSARD. Yes. In addition to that, I wish to call the attention of the Senator from Wisconsin to the following letter, which is dated January 9, from the Acting Director of the Bureau of the Budget. It states:

MY DEAR SENATOR: Pursuant to your request of this date, I have the honor to advise you that the estimate submitted to the Bureau of the Budget by the Secretary of Agriculture for "sugar-plant investigations, including studies of diseases and improvement of sugar beets and sugar-beet seed," for the fiscal year ending June 30, 1924, was \$104,115. The estimate for this appropriation as contained in the Budget is \$94,115, which is the same amount as the appropriation for the fiscal year 1923.

I may not be direct in my answer to the Senator from Wisconsin, but the information that I gather is that the Department of Agriculture wishes to investigate red rot, root rot, and field leaf diseases of sugar cane, as well as to experiment in the importation of varieties of sugar cane which would mature before the mosaic disease begins to spread in the plant.

I think if the Senator will get the estimates from the Secretary of Agriculture he will find that every dollar of the \$94,115 proposed to be appropriated is dedicated, as it were, to certain purposes, and that the \$10,000 additional is necessary to take care of the matter to which I have referred.

Mr. LENROOT. I hope that it is not a permanent "dedication."

Mr. BROUSSARD. I do not know as to that.

Mr. LENROOT. I am afraid that is the case sometimes in connection with some of these items.

Mr. BROUSSARD. The Senator may be right about that; I do not know; but if the Senate should provide the \$10,000 which I am now proposing to add to the amount carried by the bill, I would hope that it might be used for the purposes

I have indicated. The only thing that we have to be guided by is the recommendation of the Secretary of Agriculture, and, upon investigation of the recommendation of the Secretary of Agriculture, I think the Senator will find that every cent of what may be called his budget for the expenditure of the \$94,115 has been apportioned, and that none of it will be available for the item which I am now proposing to take care of.

Mr. LENROOT. Of course, the Senator understands that if the Congress is to accept as final and conclusive the recommendations of the head of a department as to the amount that is necessary, we might as well repeal the Budget law.

Mr. BROUSSARD. I quite agree with the Senator; but, on the other hand, it appeals to me very strongly that it is beyond human capability for the Budget Bureau to comprehend exactly every item that is proposed by the various departments; and so the Budget Bureau may frequently allow an appropriation which should be eliminated and may deny other appropriations which are very meritorious.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. BROUSSARD. I yield to the Senator from Oregon.

Mr. McNARY. As the item presently stands, does it leave any money for the control or eradication of the mosaic disease?

Mr. BROUSSARD. It does not leave one cent for the purposes I have indicated.

Mr. LENROOT. The department may use a part of the appropriation for those purposes, so far as the bill is concerned, if it sees fit to do so.

Mr. BROUSSARD. I will state to the Senator from Wisconsin that my very limited experience here has taught me, I think, that the chiefs of bureaus are supreme, and that they may apportion the funds as they see fit; but when we are appropriating the money we must assume that they will expend the money according to their own recommendations.

Mr. LENROOT. But the clause in the bill appropriating \$94,115 includes the item in which the Senator is interested.

Mr. BROUSSARD. No; it does not.

Mr. LENROOT. Is not the language of the provision broad enough to cover investigations of the diseases which the Senator has mentioned?

Mr. BROUSSARD. No; it is not. I will say to the Senator from Wisconsin that there are certain investigations being made looking to the eradication of the mosaic disease, and there have been several men—

Mr. LENROOT. But is not the item "for sugar-plant investigations, including studies of diseases"?

Mr. BROUSSARD. Yes.

Mr. LENROOT. That is the point.

Mr. BROUSSARD. But if only the \$94,115 appropriation is provided by the bill, it will provide merely for a continuation of the experiments and the investigations for the eradication of the mosaic disease affecting the native sugar cane in Louisiana and the other cane-growing States of the South. It will not permit the importation of early maturing varieties, nor would it permit investigations as to the root and leaf diseases and other diseases which have become prevalent.

Since the Department of Agriculture has found it necessary to have experts investigate with a view to the eradication of the mosaic disease—

Mr. McNARY. Let me ask the Senator what amount of money was expended by the department last year in the prosecution of this work?

Mr. BROUSSARD. Last year, I understand, there was \$10,000 expended, and that is provided for now so far as the eradication of the mosaic disease is concerned; but the Department of Agriculture in its investigation of the mosaic disease has come to the conclusion that it ought to import earlier maturing varieties into this country, and they have further discovered while investigating this particular disease that there are certain other diseases affecting the roots and the leaves of the sugar cane, just as there are diseases affecting wheat, and they would like to have an additional \$10,000 in order to permit them to prosecute this work and assist in the eradication of all diseases affecting sugar cane.

Mr. McNARY. Then it is true, is it not, that under this item, as presently carried, the same work may be done this year as was done last year?

Mr. BROUSSARD. Yes.

Mr. McNARY. What the Senator wants, then, is to extend the work by adding a new experiment?

Mr. BROUSSARD. I am merely backing the Department of Agriculture, which has requested that an addition of \$10,000 be provided.

Mr. McNARY. So the Senator's idea is not only to have the \$10,000 used last year for a similar purpose provided this year but also an additional \$10,000 for extending the work?

Mr. BROUSSARD. Yes, sir; that is exactly the idea.

Mr. JONES of Washington. Mr. President, I understood the Senator from Louisiana to say a moment ago that those interested in the production of sugar have not been urging the inclusion in the bill of this item.

Mr. BROUSSARD. I said that so far as my colleague and I were concerned we had not urged it; but I may say to the Senator from Washington that the State of Louisiana has been appropriating funds out of its treasury for the purpose of prosecuting investigations along this line and that the Agricultural Department in its investigations found it necessary to recommend the appropriation of the additional amount.

Mr. JONES of Washington. That is what I want to bring out. The Budget law absolutely prohibits the department officials from coming to Congress and asking for anything that is not estimated by the Budget. We may just as well do away with the Budget law if we are going to encourage bureau chiefs to come to Members of Congress and urge appropriations of amounts not estimated by the Budget.

Mr. BROUSSARD. I wish to say to the Senator from Washington that if anything I have said conveyed to him the idea that the Department of Agriculture came to us and asked us to present this matter he obtained a wrong impression, or I made an erroneous statement. It was not my intention to convey any such idea. In its recommendations to the Budget Bureau, however, the Department of Agriculture included this amount, which was eliminated.

Mr. JONES of Washington. Oh, yes; they included a whole lot of amounts that the Bureau of the Budget did not recommend.

Mr. BROUSSARD. We were then called upon by our constituency after this had been done and our attention was called to it, and we asked for the recommendations of the Department of Agriculture, which verified the statements made to us by the people who called our attention to it.

Mr. JONES of Washington. Of course, that is all right.

Mr. BROUSSARD. The Department of Agriculture is not appearing now, nor do I wish to represent it as appearing now, and wanting to override the Budget. I want to make that very plain. I wish to say this: The thought that I wished to convey was that the Department of Agriculture, before it knew the views of the Budget Bureau—and the views of the Budget Bureau, to my mind, can not cover every subject which we are dealing with in legislation—did conceive it to be its duty to recommend this to the Budget Bureau.

Mr. JONES of Washington. That is all right.

Mr. BROUSSARD. But the Budget Bureau eliminated it; and we have taken it up because of the fact that outsiders have called our attention to the fact that the Budget Bureau eliminated a thing that was very material to the sugar-cane industry of this country. I do not wish to misrepresent the Department of Agriculture.

Mr. JONES of Washington. That makes it perfectly plain.

Mr. BROUSSARD. I want to exonerate them entirely, because, as the Senator will recall, as I read this letter, they say, "Pursuant to your request of this date." We made a special request; and I wish to say, in addition, that this request was made by one of the employees in my office, and they refused to give the information until I made a personal call for it. They would not give it to an employee in the office.

Mr. President, I think this amount is very material to the development of the sugar-cane industry in this country, and should be allowed. It is a very small amount—\$10,000—and I hope the Senate may allow it to us.

Mr. RANDELL. Mr. President, my colleague has stated this case so well that really there is nothing left for me to say. I wish to make just a brief additional reply to the question of the Senator from Washington [Mr. JONES].

I tried to find out from the Agricultural Department something about this matter, and it seemed to me they leaned over backward in refusing to give me any information. They said they could not do it. They absolutely refused to tell me anything. I had learned it entirely from outside sources, and they said I would have to get any information I desired from the Budget Bureau; that the Budget Bureau had authority to give out information on it, but the Agricultural Department, under the rules, had no authority. So they would not give me any information. Then I went to the Budget Bureau, and my colleague did, and we got this information about it; but I did find out from other sources that the Secretary of Agriculture recommended this additional sum of \$10,000, and he did it certainly without any solicitation on my part, and I believe without any

solicitation on the part of my colleague or any solicitation on the part of the Senators from Arkansas, Mississippi, Alabama, Florida, Georgia, North Carolina, and South Carolina, all of whom are intensely interested in this item, just as are the Senators from Louisiana, because while the sugar industry, let me say, does not prevail in these other States, the sirup-producing industry does prevail to a very great extent in all the States of the South. It is an important industry, and this is intended to help the production of sugar-cane sirup. It is important in all of those States.

Now I wish to call the attention of the committee to sundry increases which were recommended by the Department of Agriculture, so I am informed. I have not verified this. I am informed by reliable outside sources that the Department of Agriculture recommended to the Budget, and the Budget approved, for the pathological laboratory an increase of \$5,000; for fruit diseases, net, \$11,000; for cotton and truck diseases, \$10,000; for crop physiology, \$10,000; for crop acclimatization, \$20,000; for crop technology, \$10,000; for cereal investigations, net, \$15,000; for economic and systematic botany, \$3,600; for dry-land agriculture, \$11,000; for nut culture, \$3,000; for pomology, \$10,000; for horticulture, \$7,500; and for forage crops, \$5,000. My information is that these increases are recommended by the Secretary of Agriculture and approved by the Bureau of the Budget. Mr. President and Senators, the same Secretary of Agriculture, with the same information before him, I assume, on which he recommended these other increases, recommended a \$10,000 increase for investigating the diseases of cane; and I appeal to the Senate to stand by him in this sugar-cane increase, just as the Budget Bureau stood by him in the others. It is a very important matter for the South, and I trust we are going to keep it in this bill.

Mr. LENROOT. Mr. President, I have no doubt that this \$10,000 could be well expended; and the same can be said of perhaps 100 other items in this bill where either the Budget Bureau or the House did not allow as large a sum as was recommended by the Secretary of Agriculture. Every Senator knows the necessity for the most rigid economy under existing conditions, and the impossibility of doing all that we would like to do for these various activities; but, Mr. President, I do not believe it would be fair, because two Senators are most praiseworthy zealous in behalf of an activity in their own State, to discriminate by permitting one amendment to come in that is subject to a point of order, and not letting perhaps 20 others, equally meritorious, also come in. The result would be very soon that our Budget system would be of very little value indeed.

Therefore, Mr. President, I feel constrained to make the point of order against the amendment that it is not estimated for, and is, therefore, subject to a point of order.

Mr. FLETCHER. Mr. President, on that point it is a question whether the amendment is subject to a point of order, because it has been recommended by the department. The fact that it was recommended by the department is very clear and is not questioned here. The identical item covered by the amendment was in the recommendation of the department submitted to the Budget Bureau.

I sincerely hope, however, that the Senator will not make that point of order. We had here yesterday the question of taking care of the barberry bush, where the estimate of the department was only \$200,000 and the report of the Budget Committee was \$200,000. The House raised that \$150,000, and the Senate raised it \$150,000 more.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. FLETCHER. Yes.

Mr. LENROOT. That is true, and that is a matter that affects very seriously my own State; and because I thought I ought to be consistent I voted against the increase.

Mr. FLETCHER. But the Senator did not make the point of order.

Mr. LENROOT. It was not subject to a point of order, because the House had acted upon the matter. It was not subject to a point of order at all.

Mr. FLETCHER. The House increased it to the extent of \$150,000, and then the Senate proceeded to increase it to the extent of \$150,000 more.

Mr. BROUSSARD. Mr. President—

Mr. FLETCHER. Does the Senator want to interrupt me?

Mr. BROUSSARD. I do not want to interrupt the Senator but, if he will permit me, I wish to ask the Senator from Wisconsin whether or not the House has acted upon the \$94,000, and whether or not the department has recommended this increase? So far as I am concerned, I do not see where the point of order lies.

Mr. LENROOT. As I inquired of the chairman, the estimate is \$94,000, and this \$10,000 is an increase.

Mr. BROUSSARD. No; that is not the estimate. The Secretary of Agriculture has recommended \$104,000.

Mr. LENROOT. But the estimate is not the estimate of the Secretary of Agriculture. The estimate is the estimate of the Budget Bureau.

Mr. BROUSSARD. If the Senator from Florida will permit me just one more question, what is the point of order—that it has not been estimated by the department?

Mr. LENROOT. And not reported by a standing committee.

Mr. BROUSSARD. I do not know that the rules have been amended so far as that is concerned. I understand the rule to be that unless it is recommended by a department, it is subject to a point of order; but this was recommended by the department.

Mr. LENROOT. Oh, no; this is by the Budget. The estimate comes no longer from the department. The department never sends any estimate now.

Mr. BROUSSARD. What is the rule of the Senate with reference to it?

Mr. LENROOT. The estimate must come from the Budget Bureau.

Mr. BROUSSARD. But what is the rule? Will the Senator refer to the rule?

Mr. LENROOT. Oh, yes; I shall be glad to.

Or unless the same be moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the departments.

Mr. BROUSSARD. That is the point I wish to make, Mr. President—that the Budget Bureau is not mentioned.

The VICE PRESIDENT. The Senator has not read the rule correctly. The Secretary will read it as amended.

The ASSISTANT SECRETARY. The rule, as amended, reads:

Or proposed in pursuance of an estimate submitted in accordance with law.

Mr. LENROOT. That is right. I beg the Chair's pardon. The rule has been amended to conform to the Budget system.

Mr. BROUSSARD. I do not care to take up any more time.

Mr. FLETCHER. Mr. President, on the question of the estimate, the senior Senator from Louisiana has here a letter of January 9, saying:

Pursuant to your request of this date, I have the honor to advise you that the estimate submitted to the Bureau of the Budget by the Secretary of Agriculture for sugar-plant investigations, including studies of diseases and improvement of sugar beets and sugar-beet seed, for the fiscal year ending June 30, 1924, was \$104,115. The estimate for this appropriation as contained in the Budget is \$94,115, which is the same amount as the appropriation for the fiscal year 1923.

That is the statement in regard to it.

Mr. LENROOT. Mr. President, will the Senator yield? The Senator does not consider that an estimate under the law, does he?

Mr. FLETCHER. It is an estimate by the head of the department, of course. Whether or not we provided under the Budget law in such form that that is the controlling estimate is the question. If that is the controlling estimate, then the point of order would be well taken; but I want to appeal to the Senator again not to insist upon the point of order at this time, and I want to call attention to the importance of this matter.

The whole sugar-cane growing area of the South, comprising eight States, whether used for the production of sirup or sugar, is now infected with this mosaic disease. That area includes not only the sugar-producing States—Louisiana is the principal one, of course, in that industry, but Florida is now producing sugar cane to a very large extent; three or four new mills have recently gone up in the region of the Everglades, and they are producing sugar there—but, in addition to that, the sirup-producing industry is at stake, because this sugar cane is used to produce sirup. The production in Florida last year was 6,300,000 gallons of sirup, and that whole area is infected with this mosaic disease. The disease is a very serious one. I have here a statement to this effect:

This disease in Porto Rico in some instances has reduced the tonnage of cane, and the consequent sirup production therefrom, as much as 75 per cent from the normal of what it would have been in the absence of this disease.

Mr. POMERENE. Mr. President—

Mr. FLETCHER. We ought to take steps to put an end to this thing, if possible; and this amount is needed by the department, as they have stated in their estimate, for the purpose of continuing the study and investigation looking to the eradication or elimination of this very serious disease in

the whole sugar-producing and cane-producing industry in the States of South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, and Arkansas.

Mr. POMERENE. Mr. President—

Mr. FLETCHER. I yield to the Senator.

Mr. POMERENE. Do I understand from the statement made by the Senator from Florida that there is no fund available for this purpose unless this appropriation is made?

Mr. FLETCHER. It is proposed that they may use some \$10,000 of this fund.

Mr. HEFLIN. But \$10,000 is not sufficient for the investigation and study of this subject in these eight States.

Mr. POMERENE. How long has this disease prevailed in that section?

Mr. FLETCHER. It is a comparatively new development.

Mr. POMERENE. It is spreading very rapidly, is it?

Mr. FLETCHER. It is spreading rapidly, and they are conducting studies in Louisiana and in Florida and in Georgia. They have some work going on there where they are investigating and studying the subject, and they need this appropriation to continue the work.

The VICE PRESIDENT. The Chair is ready to rule on the point of order.

Mr. FLETCHER. I just want to complete the statement. Florida has 30,000 acres in cultivation producing cane; Alabama, 60,000; Georgia, 45,000; South Carolina, 8,200; Mississippi, 33,700; Louisiana, 21,500; Texas, 12,000; Arkansas, 2,400; total, 213,000 acres in these States devoted to the production of sugar cane for the sirup and cane. I ask to have that statement put in the Record.

There being no objection, the table was ordered to be printed in the Record, as follows:

Area of sugar cane and production of cane sirup, 1920-21.

State.	Area harvested for sirup.		Sirup made.	
	1921	1920	1921	1920
	<i>Acres.</i>	<i>Acres.</i>	<i>Gallons.</i>	<i>Gallons.</i>
South Carolina.....	8,200	7,800	820,000	858,000
Georgia.....	45,000	44,100	7,322,000	9,697,000
Florida.....	30,000	24,000	5,300,000	6,100,000
Alabama.....	60,000	42,000	8,760,000	7,665,000
Mississippi.....	33,700	28,300	7,583,000	7,358,000
Louisiana.....	21,500	18,300	7,053,000	4,640,000
Texas.....	12,000	7,100	3,192,000	2,215,000
Arkansas.....	2,400	2,500	437,000	437,000
Total.....	212,800	174,100	41,467,000	38,980,000

Mr. FLETCHER. I say that the experiments being carried on in one locality are for use elsewhere. Whatever is being done in one State is communicated and used throughout the other States in order to conquer this very serious pest. I appeal to the Senator not to insist on the point of order. If the Chair is ready to rule, I will not consume further time.

Mr. HEFLIN. Mr. President, before the Chair rules on the point of order—

The VICE PRESIDENT. The Chair is ready to rule.

Mr. HEFLIN. I shall be in favor of appealing from the decision of the Chair if he shall hold we can not go behind the edict of the Budget committee. I am a member of the Committee on Agriculture and Forestry. This Budget Bureau is reducing the authority of that committee to an infinitesimal proposition in the Senate; in fact, it is depriving it of its authority to represent the agricultural interests of the country. We have practically no power left. I represent an agricultural State, and the other members of that committee represent agricultural States, and we can advocate any appropriation we choose; but if this Budget Bureau does not see fit to grant what we ask, we can not go behind the judgment expressed by that bureau. If the American people knew how the American Congress had been stripped of its power under this Budget arrangement, they would rise at the polling places and let the country hear from them.

I am in favor of looking carefully into appropriations, but this is a proposition in which the whole sugar-cane industry of the United States is involved. A new disease is spreading rapidly in the cane-producing areas. Senators coming from the biggest cane-growing State in the Union have asked for \$10,000 additional to carry on work of investigating the ravages of that insect; and a point of order is going to be made when both Senators say they need that \$10,000 additional in the State of Louisiana, and in my State, and in the other States of the South.

It is said we can not get it because the Budget Bureau will not permit us to have it. Are Senators to be deprived of their rights on this floor as representatives of sovereign States, because the Budget Bureau wants to be able to say that it has cut down the amount and saved a little money? The Budget Bureau was intended to prevent the useless appropriation of money. The Nation derives its strength from the people of the States; but some man in Washington, who probably never saw a field of growing cane in his life, appears and takes his pencil and runs through these suggested appropriations, striking them out.

On yesterday or the day before the Senate voted \$152,000 to pay some man for a little boat sunk through a collision with a Government ship up around New York; and we have ships which the chairman of the Shipping Board tells us we can not get anything for, which we can not sell for sixteen or eighteen hundred dollars. They sold some of them some time ago, I believe, for \$2,100 each; but when the Government strikes one of these little yachts and sinks it, they come here and put through the claim quickly for an amount fifteen times as large as the sum for which they sold some of our Government ships that cost from \$600,000 to \$800,000.

I voted against it, and the Senator from South Carolina [Mr. DIAL] made a speech against it, but you passed a bill in that case appropriating \$152,000 to pay for that one ship.

The whole sugar-cane industry of 110,000,000 people is here asking for \$10,000 additional to fight a disease gnawing at the very vitals of the industry, and a Senator rises and tells us that the Budget Bureau does not think we ought to have it, and therefore it is to be stricken out. If our rule permits such a ruling, we ought to change the rule.

Mr. President, the House of Representatives was not permitted to vote on the proposition of whether the distribution of choice seeds to the people of the United States should continue. Under this Budget arrangement the House, with 435 Members, was tied hand and foot and could not even vote their convictions on this question. What are we coming to? Are the American people going to tamely submit to what is going on here?

Mr. LENROOT. Mr. President, the House did vote upon the proposition of which the Senator speaks.

Mr. HEFLIN. No; they voted on it in Committee of the Whole, but when the bill got into the House, a point of order was made against the item, and the proposition went out on an appeal from the decision of the Chair, and for the first time in the history of the House that I know anything about the Speaker of the House made from the Chair an appeal to the House to sustain his decision.

Mr. President, when the people get on to this there is going to be a revolution politically in this country. You have made a reduction in the Agricultural appropriation bill since last year of about \$6,000,000. You are striking down an industry that is already paralyzed. It is pillaged and plundered as no other industry in this country has been. You are picking on it, gnawing on that industry—the industry of the farmers of America. You voted \$20,000,000 to buy grain and seeds and other agricultural products for Russia. You are cutting \$6,000,000 out of this bill, making the agricultural classes at home suffer for \$6,000,000 of the amount you sent to Russia.

If I understood him correctly, the senior Senator from Louisiana [Mr. RANDELL] said that when he sought information from the Secretary of Agriculture and others in the Department of Agriculture as to what they really recommended, trying to get at the truth, trying to get at the necessity for this amount, they said, "We can not tell you anything. You will have to get it from the Budget Bureau."

My God! What are we coming to in this Chamber? We see the great Secretary of Agriculture, a member of the President's Cabinet, supposed to represent the agricultural interests of the Union, with lips sealed and hands tied, behind a little Budget Bureau. He can not give out any information unless the Budget Bureau consents to it.

Suppose you go to the Budget Bureau and the Budget Bureau says, "We do not care to go into that. We have made this estimate, and you can take it or let it alone." Then what are you going to do? I look for that to happen next, if the Senate continues to surrender its rights to a budget bureau. It is legislation by bureaucracies in a Nation supposed to have a Congress to reflect the will of the people whose Government this is.

Mr. SMITH. Mr. President, I would like to ask the Senator, if he is informed, who constitutes the Budget Bureau?

Mr. HEFLIN. It is not going to be constituted very long if it keeps up things like this. The American people are not going to stand for a few highbrows, who never saw a cabbage

or an open cotton boll or a cornstalk, "budgeting" and telling the people what they can have.

Mr. OVERMAN. Mr. President, I would like to say to the Senator that in some testimony taken before our committee it was said by an official of the Agricultural Department that the Budget Bureau sent a hotel proprietor of Chicago down there, who looked over the estimates and cut them down a million dollars. What does he know about raising cabbage or anything else?

Mr. HEFLIN. There you are, a hotel proprietor from Chicago coming down to see what we shall have for the southern section and in the great western section of the country in agriculture; a hotel proprietor from Chicago being sent down to look over the list and say "Strike that out." The thing gets worse and worse. He sees the word "mosaic." He says, "That is something in the Bible. Strike it out." He would not know a mosaic parasite from a humming bird. [Laughter.] He says, "Strike it out." That is the sort of situation we are treated to. It is not going to sail very smoothly in this Chamber.

Just think what we are up against here. Both Senators from Louisiana have shown to the Senate the necessity for getting this \$10,000 addition. They convinced me of the necessity of it. My own State is involved in it, but they have a larger part of the industry in their State. I am convinced that they need it. I think they ought to have it; but we are about to lose it, we are told, because a point of order is going to be made, and the Budget Bureau says we must not have it.

Mr. OVERMAN. Will the Senator yield further?

Mr. HEFLIN. I yield.

Mr. OVERMAN. The Secretary of Agriculture was present at the committee meeting, but the man who made the statement to which I have referred was a chief in the department. He said a hotel proprietor was sent down there who told them they had to cut the appropriation a million dollars, and then they sent an Army officer down there who said, "You have to cut it \$2,000,000."

Mr. HEFLIN. It is even worse than I thought it was.

Mr. OVERMAN. That was the testimony taken before our committee.

Mr. SMITH. A man was sent down to cut what bill?

Mr. OVERMAN. To cut the Agricultural appropriation bill.

Mr. SMITH. An Army officer and a hotel keeper?

Mr. OVERMAN. Yes.

Mr. CARAWAY. May I interrupt the Senator?

Mr. HEFLIN. I gladly yield to my friend from Arkansas.

Mr. CARAWAY. It strikes me that if all we have heard about the hotels be true, they ought to be an authority on—what is this, corn?

Mr. HEFLIN. Yes; corn is involved in the bill. These hotels were selling corn flakes for 15 cents a saucer, while the farmers were getting 20 cents a bushel for corn. They sold oatmeal for 15 cents a saucer, while the farmers were getting 14 cents a bushel for oats. They ought to be good authority on what the farmer needs. [Laughter.]

Mr. CALDER. Will the Senator tell the Senate where he can buy corn flakes for 15 cents a saucer here in Washington?

Mr. HEFLIN. You can get them over at the Congress Hall Hotel for 15 cents a saucer.

Mr. CALDER. I am glad to know it.

Mr. HEFLIN. What do they charge in New York for them?

Mr. CALDER. They charge half a dollar at the New Willard.

Mr. HEFLIN. That is just about where this Bureau Budget hotel proprietor came from. [Laughter.]

Mr. CARAWAY. Mr. President, I intended to say that I did not think the specialty of the hotel is corn flakes; it is corn, but not in flakes. I think it is in jugs.

Mr. HEFLIN. In liquid form?

Mr. CARAWAY. So I have understood.

Mr. HEFLIN. Mr. President, what is the situation, in a nutshell? The Secretary of Agriculture, sitting in the Cabinet of the President and supposed to know what is best for the agricultural interests, after going over the facts before him, and hearing the testimony of those under him who represent his department and agriculture generally, said, "I recommend this as just and right," and he put it in his recommendation. The Budget Bureau strikes it out. The Senator from one of these States rises here and asks to have it put back, and the fact is disclosed that the Secretary of Agriculture is so hedged about by this Budget, and intimidated, I suppose, that he says, "I can not give you any information as to the facts about it. You will have to get the information from the Budget Bureau." Then the Budget Bureau says, "We recommend striking it out." Then we find that a hotel man from Chicago came down and

looked over the list, and said, "You must reduce this \$1,000,000," and then an Army officer came down and said, "You must reduce it \$2,000,000." I am glad they did not send a third man; I do not know what he would have recommended.

This money is being taken from worthy projects in the field of agriculture for the purpose of satisfying the greed of certain special interests in other appropriations later on.

What are we going to do about it? We need this \$10,000 in the sugar-cane growing States. Here is an industry that ought to be encouraged. The boll weevil is playing havoc all through that country, and our farmers have to diversify. A great many of them will plant sugar cane who are not now planting it, and this \$10,000 would go a long way toward helping along this work. But we are told we must not have it because the Budget says we must not have it. Nobody says we are not entitled to it. Nobody says we do not need it; but because, forsooth, the Budget says we can not have it, we can not. Let us see whether we will or not.

Mr. SMITH. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. HEFLIN. I yield.

Mr. SMITH. Referring to the farmers of the South stopping planting cotton on account of the ravages of the weevil, in this bill, at this time, when that pest is affecting the international trade balance as against this country, reducing our average annual yield of cotton one-third, entailing a loss of something over a billion and a quarter dollars, I was astounded to find that the total amount appropriated for the purpose of investigating the ravages of insects in southern field crops, including cotton, is \$165,000, against a loss of a billion and a quarter dollars.

A representative of the Agricultural Department came to see me in response to a telephone request to the Secretary of Agriculture, and I asked him why it was that there was no more than \$165,000 appropriated. I had not even found the item. He turned to the page and showed it to me. I said, "Why no more than this?" He said, "Because we were limited to a certain sum for agricultural purposes and had no more, under the Budget order, to use for this purpose"—a purpose involving the very life of the exchange in favor of this Nation as against foreign nations, and perhaps the clothing in part of the entire civilized world. And yet because certain men, a list of whom has been sent me by the clerk, whose names I have never known to be identified with the great agricultural industry of the country, arbitrarily say that "So much money, in our estimation, should be appropriated for the purpose of combating the diseases that are incident to the agricultural products of the country," we must be restricted, those of us who have studied the question and who know what is economy, even in the expenditure of money, and must arbitrarily be controlled by a body of men who would not know a cotton stalk from a sugar beet.

The VICE PRESIDENT. The Chair is ready to rule on the question of the point of order at any time. The Chair rules that the point of order is well taken.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. HEFLIN. I yield.

Mr. SIMMONS. I wish to ask a question with reference to a statement the Senator from South Carolina has made. Does the Senator from South Carolina understand that a motion to increase the appropriation for the purpose of investigating the boll weevil would be subject to a point of order?

Mr. SMITH. As a matter of course it would be subject to a point of order if the point made by the Senator from Wisconsin is sustained by the Chair, because, as the Secretary has read the rule, when the Budget was substituted for a standing committee then it would have to be estimated according to law, and the law is the Budget. Therefore, if we attempt to increase the amount of the appropriation we find that the Budget has taken the place of the standing committee, and the law is the Budget, and therefore we are up against the proposition that when the Budget has made its statement then we are estopped unless it comes in pursuance of some act of one of the committees in the committee. The committee has not acted on this matter.

Mr. LENROOT. Of course the committee could have increased this particular item.

Mr. SMITH. That is the point I am making, that the committee could have increased it, but the committee did not increase it.

Mr. BROUSSARD. Has the Agricultural Committee passed upon the appropriation bill?

Mr. RANDELL. Mr. President, I would like to answer the question propounded by my colleague. I wanted to go before the Committee on Agriculture and Forestry myself, but I did not know about it until the matter was reported here, and I am a member of that committee, and so is the Senator from Alabama [Mr. HEFLIN] a member of the committee, I believe.

Mr. HEFLIN. Yes; I am.

Mr. RANDELL. May I ask the Senator if he ever heard of this matter until it was reported in the Senate?

Mr. HEFLIN. No; I did not.

Mr. BROUSSARD. It took me three days to find out whether or not the amount was incorporated in the appropriation bill.

Mr. SMITH. Mr. President, if the Senator from Alabama will allow me—

Mr. HEFLIN. I yield to my friend from South Carolina.

Mr. SMITH. This is tantamount to an abolishment of all the committees save one, namely, the Appropriations Committee. The Appropriations Committee, under the rules and policy we have now adopted, sees fit to specify that certain representatives from the different standing committees may meet with certain representatives from their committee to go over a matter that heretofore has been considered by one of the other committees. In other words, the Agricultural Department appropriation bill goes to the Appropriations Committee. The Appropriations Committee, through its own sweet will, intimates that it will have a subcommittee from the Committee on Agriculture and Forestry to confer with a subcommittee from the Committee on Appropriations touching the matters involved in the Agricultural Department appropriation bill. When we have gone over that, through the charity of the Appropriations Committee, then the subcommittee of the Appropriations Committee calls the full committee together and reports what has been accomplished by representatives of the Appropriations Committee and representatives of the Agricultural Committee. So that the Committee on Agriculture and Forestry, when it comes to getting the sinews of war for the purpose of carrying on the agricultural business of the country, have no voice at all except as subsidiary to the Appropriations Committee.

Mr. DIAL. I would like to ask my colleague what we should have done to get the amount increased?

Mr. SMITH. The only way we could have done would have been for the subcommittee to recommend it, and then for the subcommittee to report to the Committee on Appropriations, and if they accepted it, then we could have gotten it, because it would have come from one of the standing committees of the Senate, and thus complied with the rule.

Mr. FLETCHER. Mr. President—

Mr. HEFLIN. I yield to the Senator from Florida.

Mr. FLETCHER. The Senator from South Carolina is a member of the Committee on Agriculture and Forestry, and he is likewise a member of the Subcommittee on Appropriations dealing with the Agricultural Department appropriation bill. I would like to ask the Senator if he knew of the situation regarding this item and the boll-weevil item?

Mr. SMITH. I see the chairman of the subcommittee [Mr. McNARY] rises in his place, and I am glad he does, because I want him to hear what I have to say. I acknowledge the fact that we, as a subcommittee, went in and knew when we went in that we were restricted to a certain amount, and that the work we were doing was largely perfunctory.

The speed with which we went through the bill was either a reflection on our intelligence or proof of the fact that we were intelligent enough to know that we could not help ourselves and had to do just the best we knew how. This particular matter was not called to our attention. I believe had it been called to our attention that we might have remedied it. But has it come to pass that matters which escape us as a subcommittee and escape the attention of the Appropriations Committee can not be remedied here when the Senate knows and is convinced that it is a matter that ought to be attended to and that the appropriation ought to be made?

Mr. SIMMONS. Mr. President, I wish to ask the Senator from South Carolina another question.

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from North Carolina for that purpose?

Mr. HEFLIN. I yield to the Senator.

Mr. SIMMONS. In the light of the facts that have been revealed here by the Senator from South Carolina and other Senators, does he not think we might accomplish the result we all have in view by recommitting the bill to the Appropriations Committee for further consideration? It would be a travesty upon legislation if our hands were so tied here that we can not legislate as our judgment dictates to relieve the agricultural situation.

Mr. SMITH. I had not intended to have anything to say about this particular matter, believing that when it was brought to the attention of the Senate it would be agreed to. I had no other idea, because I myself am from a State that does not produce nearly so much of this very necessary ingredient. It is one of the prime foodstuffs. Sirup in certain localities takes the place of meat with certain people. It is used very largely in certain parts of our coastal regions. Anything that menaces that supply very seriously jeopardizes the comfort and lives of a great many people who are not as advantageously situated as you and I may be.

Knowing from what the department said that this insidious disease with others was possibly threatening the development and life of the industry, I had no idea in the world but what the \$10,000 asked for would be granted as soon as those who represent the States in which this thing has grown up had made their statements.

Mr. SIMMONS. I wish to ask the Senator if the bill is re-committed to the Appropriations Committee could it not remedy the omissions?

Mr. SMITH. I can answer the Senator by saying that the attitude of those who have it in charge on the floor of the Senate does not give me very much hope, but I think I would about as soon risk my chances there as here.

Mr. SIMMONS. I am not speaking about what the committee would do. I am addressing myself to the question of power. If the bill is re-committed to the committee, would not the committee then have the power under reconsideration to adjust there the appropriation in such way as to meet the situation?

Mr. SMITH. Oh, yes; it would have the power, but whether or not it would do it is another question.

Mr. SIMMONS. The point I am making is this: If the committee has the power, Senators who represent the cotton-growing States of the Union and the sugar-cane-growing States of the Union would be derelict in their duty to their constituents, I believe, if they did not take advantage of every possible means of preventing the miscarriage of legislation through the instrumentality of a point of order.

Mr. McNARY. Mr. President—

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HEFLIN. I yield.

Mr. McNARY. On the very point discussed by the Senator from South Carolina I want to observe that I am not enamored of the rule. In fact, I opposed it with a few others on the floor of the Senate. I thought I saw evil and wickedness in the rule. The particular item about which the Senator complains is not carried under the head of the boll weevil, but "Insects affecting southern crops."

Mr. SMITH. Yes; I made that statement.

Mr. McNARY. The Senator was a member of the subcommittee last year and again this year. The item was the same last year as this year.

Mr. SMITH. That is true.

Mr. McNARY. It conforms to the Budget, and no one has appeared before the committee in either of the two years asking for an increase or decrease of the item. Consequently it is useless to stir up a row here over something that could have been remedied at the proper time by proper action taken in proper form.

Mr. SMITH. The point I wanted to make was that it is to be supposed that the wonderful omnipotent Budget would not seriously jeopardize anything that we ought to do by the lack of a proper appropriation to do that thing. I was informed last year that there was, under the head of southern field crops, an adequate appropriation. A member of the Agricultural Department, not a member of the Cabinet, said to me today, "We could use more money, especially in view of the fact that a new line of investigation is now being developed in the South Atlantic States, where the conditions for the propagation and increase in the number and the destructiveness of this pest are fivefold what they are in the Western States." Then I asked why the amount was not estimated for. I am not quoting him exactly, but in effect he said, "The amount was all within the sum allotted to agriculture by the Budget." I asked what the amount had been. He said, "They said it must be cut \$2,000,000."

Now the monstrous proposition comes before us, gentlemen of the Senate, in the face of the fact that the Secretary of Agriculture issued a statement to the press that never before in the history of agriculture in America had the pests been as destructive as in 1922.

There is a peculiar pest known as the corn borer, and unless it is eradicated—not checked, but eradicated—it threatens to destroy the entire Indian corn crop of America. The only way in the world we can deal with that pest is by eradicating it. It is as insidious in its effect as the boll weevil, in that it does not appear on the surface and is not amenable to the application of poison. Those are questions that you and I know, and that we come in contact with, and of which we see the menace and the danger.

There were not half a dozen men east of the Mississippi who believed other than that it was a fairy tale about the destructive power of the boll weevil until he struck and bankrupted great sovereign States. Yet we are pottering along with the corn borer. He has entered the New England States. He is threatening the entire Corn Belt. What are we doing to eradicate him? What does this lot of Army officers and hotel keepers know about the menace that confronts the men attempting to raise the billions of bushels of corn that have added to the great wealth of the country? And yet, if representatives from the corn States were to come here to-day and say, "These are the facts, backed by the judgment of the Agricultural Department, and we need a million dollars to destroy the corn stalks and destroy the corn growing in the infested area," we would have to go and ask Mr. Budget whether we could do it if perchance it had not been called to the attention of the committee.

I submit, gentlemen of the Senate, that when this \$10,000 appropriation, which was so reasonable and which was supported by the Secretary of Agriculture, was called to the attention of the Senate we should have granted it.

If the Senator from Alabama will allow me, I wish to make a further statement, and then I am through. I do not believe that we ought on the floor of the Senate to accept amendments proposing to increase appropriations which have not been passed upon by the department having the matter in charge.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. HEFLIN. I yield.

Mr. LODGE. I only wish to say to the Senator from South Carolina [Mr. SMITH] that I am very much interested in the eradication of the corn borer. It has become quite a pest in New England, it is spreading through New York and Ohio, and will spread all over the country. It seems to me that the appropriation in that instance of \$200,000 is very inadequate; but it was recommended not only by the Budget Bureau, which I think is a very useful body, but it was all that was asked by the department itself.

Mr. SMITH. Yes.

Mr. LODGE. The Senator from South Carolina had an opportunity to do something about the matter, for he is on the subcommittee.

Mr. SMITH. Exactly.

Mr. LODGE. And he could have had the amount increased. Why did he not make an effort to get the appropriation for the eradication of the boll weevil—which I think is inadequate—increased in the committee, where he could have done it, and not on the floor of the Senate, where the opportunity is cut off?

Mr. SMITH. I wish to call the attention of the Senator from Massachusetts to the fact that the appropriation in this instance was recommended by the Agricultural Department.

Mr. LODGE. I am not discussing the amendment in reference to the sugar-cane product of Louisiana. I am asking the Senator from South Carolina why he did not on the subcommittee try to get the appropriation for the extermination of the boll weevil and the corn borer increased?

Mr. SMITH. It was simply because my attention had not been called to the matter until we had gone over all of the items; but had the Agricultural Department—

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield; and if so, to whom?

Mr. HEFLIN. I yield first to the Senator from South Carolina and then I will yield briefly to other Senators.

Mr. SMITH. I wish to answer the Senator from Massachusetts [Mr. LODGE]. The point I was making was that if the Agricultural Department, which is on the watchtower, had come to us and said, "We need \$500,000 for the extermination of the corn borer," and the Budget Bureau had recommended \$200,000, my attention would have been at once arrested.

Mr. LODGE. I went before the subcommittee of which the Senator from South Carolina is a member and I called attention to the corn-borer appropriation.

Mr. SMITH. The Senator did.

Mr. LODGE. But the subcommittee of which the Senator from South Carolina is a member—and he was then present—voted me down.

Mr. SMITH. Yes; but before we voted the Senator down we turned to the estimates of the Agricultural Department.

Mr. LODGE. I know the committee did, but the Senator's attention was called to the matter.

Mr. SMITH. Exactly; but the Agricultural Department had not estimated the item, while the Agricultural Department has estimated for the appropriation in the particular matter now under consideration. My whole argument has been, as I stated just a few moments ago, that I did not believe we ought to adopt amendments to appropriation bills unless they were recommended by those who were charged with the responsibility.

The Agricultural Department did not increase the estimate for the item referred to by the Senator, because the Budget Bureau had said the money was not available; but as to the particular appropriation under discussion they had said it was necessary that an increase be provided. They should have said that an additional amount for the eradication of the boll weevil was necessary, and that an additional amount was also necessary for the extermination of the corn borer.

What I am complaining of, however, is that the Agricultural Department itself is made subservient to the Budget Bureau. What we ought to do is either to curtail the power of the Budget Bureau or absolutely repeal the statute providing for its creation.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Ohio?

Mr. HEFLIN. I yield to the Senator from Ohio.

Mr. WILLIS. Merely in conformity with what the Senator from Massachusetts [Mr. LODGE] has stated, I wish to call the attention of the Senator from South Carolina to the fact that in the hearing of the official statement that was filed with the Senate committee called attention to the inadequacy of the appropriation referred to by the Senator from Massachusetts, and yet the committee did nothing toward enlarging the appropriation.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from South Carolina?

Mr. HEFLIN. I yield.

Mr. SMITH. When we turned to the estimates of the Agricultural Department we were not supposed to know just how much money they had remaining on hand of the old appropriation. They had not estimated a dollar of increase. Therefore, relying upon the Agricultural Department, when they stated that there had been an adequate amount estimated for the boll weevil I took it for granted they meant an adequate amount in order to meet its ravages; but when I called on the department to give me the real reason for not recommending the appropriation they said that it was because the amount that was available was limited by the Budget. My entire argument this afternoon has been based upon the ground that the Agricultural Department has estimated that an increase is necessary, and that, finding the facts to be true, we should provide such increased appropriation.

Mr. DIAL. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. HEFLIN. I yield to my friend from South Carolina.

Mr. DIAL. Mr. President, I desire to suggest to the Senator from Alabama that these appropriations are not granted as a bonus to the farmer, but are merely to aid him to produce more and thereby decrease the cost of living for the benefit of the consumer.

Mr. HEFLIN. Certainly.

Mr. FLETCHER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Florida?

Mr. HEFLIN. Certainly; I am glad to yield to my friend from Florida.

Mr. FLETCHER. In reference to the observation made by the Senator from North Carolina [Mr. SIMMONS] that if the standing committee reported an amendment increasing the appropriation above that recommended by the Budget Bureau it would be in order, and that, therefore, his thought was to recommit the bill in order to give them that opportunity, I wish to suggest that it would not be necessary even to recommit the bill; that the committee could meet while the bill is under consideration and report an amendment proposing a change in the bill. If the amendment is reported from the committee, it may be offered here on the floor. The committee may con-

sider such items as they see fit while this discussion is proceeding and report an amendment which will be in order without necessitating the recommitment of the bill.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. HEFLIN. I yield.

Mr. SIMMONS. It seems to me that there is a great deal of force in the suggestion made by the Senator from Florida [Mr. FLETCHER]. What he suggests would afford a very easy way out of this difficulty. As I understand the Senator from South Carolina, the Department of Agriculture did not make its estimates for these purposes upon its own judgment, but made its estimates to conform to the limitations imposed upon it by the Budget Bureau. If that be true, then, of course, we ought not to be bound by the estimates made by the Agricultural Department, because they do not reflect the judgment of the Agricultural Department as to the requirements and the needs of agriculture, but are merely a submission by the Agricultural Department to the higher will of the Budget Bureau.

Mr. President, the situation which has developed here this evening is a very extraordinary one. If we are bound by the Budget findings, and if the Department of Agriculture is bound by the Budget findings, then when the judgment of the Budget does not meet the judgment of the Agricultural Department and the judgment of Congress there is no relief for the people whatever may be their grievances and whatever may be their needs. If this amendment is declared to be out of order—and probably it is out of order under the rules which now obtain—it seems to me that it is the duty of the Agricultural Committee, pending the consideration of the bill, to have a meeting and reconsider this question; and if it be found that the Agricultural Department and the Budget Bureau have made an estimate which is below the needs and requirements of these great agricultural interests, to bring in an amendment which would meet the situation and remove the difficulty created by the point of order.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Massachusetts?

Mr. HEFLIN. I yield to the Senator from Massachusetts.

Mr. LODGE. The Senator from North Carolina is an old and experienced Senator, and he knows that the committee at this moment can bring in an amendment proposing to increase every one of these appropriations, if they choose so to do.

Mr. SIMMONS. That is exactly what I have stated.

Mr. LODGE. And it is not necessary to recommit the bill in order that that may be done.

Mr. SIMMONS. That is exactly what I have stated. The Senator from Florida [Mr. FLETCHER] made the suggestion that this situation could be met by a meeting of the Agricultural Committee and the bringing in of an amendment by them; but I have suggested that in the situation which has developed here it is the duty of the Agricultural Committee to hold a meeting to reconsider this question.

Mr. LODGE. The Appropriations Committee.

Mr. SIMMONS. Very well; the Appropriations Committee, whichever it is.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield further to the Senator from Massachusetts?

Mr. HEFLIN. I do.

Mr. LODGE. It is not necessary that there should be a recommitment of the bill.

Mr. SIMMONS. I have not said that it would be necessary to recommit the bill.

Mr. LODGE. I beg the Senator's pardon. I thought he had so stated.

Mr. SIMMONS. I did make that suggestion a little earlier, but the Senator from Florida suggested that the difficulty which I sought to meet by a motion to recommit could be accomplished by a meeting of the committee to reconsider this matter.

Mr. LODGE. The committee can report any amendment that they want to report.

Mr. SIMMONS. That is exactly what I suggested; and I further said that it is their duty, under the circumstances which have been developed and disclosed here this afternoon, to have such a meeting and bring in an amendment.

Mr. HEFLIN. Mr. President, if that should take place—

The PRESIDING OFFICER. The Chair recognizes the Senator from Alabama.

Mr. HEFLIN. I do not want to take the Senator from North Carolina off his feet.

The PRESIDING OFFICER. The Chair understands the Senator from Alabama has the floor.

Mr. HEFLIN. I have, but I do not want to take the Senator from North Carolina off the floor.

Mr. SIMMONS. I have finished what I had to say.

Mr. HEFLIN. I wish to suggest in connection with what has been said that if the Committee on Agriculture should now assemble in one of the committee rooms near the Chamber and undertake to recommend anything, the Appropriations Committee would say, "This matter is closed; we are not going to go into it again; it is all over." So I say the place to act is on the floor. Let the Agricultural Committee recommend, if it chooses to make a recommendation, and then have its recommendation rejected; but what I have suggested is what would happen if the Agricultural Committee should undertake to act. I wish to call the attention of the Senate and the country to the fact that the Agricultural Committee has been shorn of its power. It has been stripped of its power by a Budget Bureau, influenced, we are told, by Chicago hotel keepers and ex-Army officers.

Mr. LODGE. The Agricultural Committee has taken jurisdiction of a proposed constitutional amendment.

Mr. SIMMONS. Mr. President, let me ask the Senator from Alabama a question.

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from North Carolina?

Mr. HEFLIN. I do.

Mr. SIMMONS. If the Committee on Agriculture has lost its jurisdiction over this measure because it has gone into the hands of the Committee on Appropriations, why can not the Committee on Appropriations meet and bring in an amendment?

Mr. HEFLIN. I think that could be done; but will it be done? If the Budget Bureau tells it not to do so, it would probably be opposed to taking action, because the Budget Bureau is becoming all powerful with this Republican Congress.

Mr. President, I want to say in conclusion that, as the Senator from South Carolina [Mr. DIAL] has suggested, this is not any bonus to the farmers.

Mr. CURTIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kansas?

Mr. HEFLIN. I do.

Mr. CURTIS. I do not want to interfere, but it does seem to me that Senators ought not to state that the rules are what they are not. The rule has not taken away from the standing committees of the Senate their power; and under the first paragraph of Rule XVI amendments may be recommended by the standing committees of the Senate.

Mr. HEFLIN. They may be recommended, very properly.

Mr. CURTIS. Then they are in order, if recommended.

Mr. HEFLIN. They may be recommended. Now, here is one that is recommended. I am indorsing it. I am a member of the Committee on Agriculture and Forestry; but let us see what fate overtakes it in a moment.

Mr. WADSWORTH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from New York?

Mr. HEFLIN. I do.

Mr. WADSWORTH. Is the Senator a quorum of the committee?

Mr. HEFLIN. No. The Budget is the quorum. [Laughter in the galleries and on the floor.]

The PRESIDING OFFICER. The Chair must remind the occupants of the galleries that under the rules demonstrations in the galleries are not in order.

Mr. HEFLIN. Mr. President, as I was about to say, this is not any bonus to the farmer. We hear frequently here of late from certain papers in the East urging that we should be very careful about what sort of a farm credit bill we pass; that the farmer is receiving a bonus of this kind and that. This is not any bonus to him. This is an effort to destroy a parasite that is seeking to destroy the cane industry of the United States. I have seen the Congress, since I have been a Member of it, appropriate money to kill wolves in the West that committed depredations upon the sheep that graze on the plains—men hired, ammunition furnished, guns bought to shoot wolves, to protect sheep grazing with their offspring upon the broad plains of the West.

The Government was putting up the money to destroy wolves that were seeking to destroy the sheep industry of the United States. Here we are undertaking to have a little money, \$10,000, appropriated to destroy a pest, a parasite, in the South, in the sugar-cane fields of all the Southern States—\$10,000!

The Secretary of Agriculture says we ought to have it; the Senators from the agricultural States down there say we ought to have it; and a Budget Bureau, composed and influenced by hotel proprietors and Army officers, is the only thing that stands between us and the much-needed \$10,000.

The Senator from Wisconsin [Mr. LENROOT] says that if we permit this amendment to come in there are other Senators that would like to have their amendments come in. Mr. President, I submit that that is not the way to legislate. What are we coming to? If any amendment is right, it ought to be passed, I do not care how many more are pending. Are you going to turn down an honest, meritorious amendment, when it is right, because somebody else has an amendment that he would like to have adopted? Let us try out each amendment on its merits, and let us serve notice on this Budget Bureau now that it is not quite as big as it thinks it is. It is not bigger than Congress, according to my judgment. It is not bigger than the Cabinet or the President. I think it is high time that we get some common sense into those who are undertaking to tell Congress what we shall appropriate for this purpose and that to serve the needs of a struggling people like the agricultural classes of the United States.

I remarked here a few days ago, and it can not be repeated too often, to those who think the farmers are again becoming prosperous, that four-fifths of their farms are under mortgage, and if they were sold to-day under the hammer they could not pay the debts for which they are mortgaged. Their crops are mortgaged. Their live stock are mortgaged. Here we are asking for \$10,000 additional to aid the cane industry in all the Southern States, and we are up against a point of order and a Budget Bureau composed of Army officers and hotel proprietors! It is up to us to repudiate the unreasonable and arbitrary action of this arrogant Budget Bureau.

Mr. SIMMONS. Mr. President—

Mr. HEFLIN. I yield to the Senator.

Mr. SIMMONS. I should like to have the attention for just a minute of the acting chairman of the Agricultural Committee. I know the acting chairman of that committee is a friend of agriculture. I know that he does not wish to pursue a course which would be unjust and unfair to that great interest.

Mr. HEFLIN. We all feel that way about it.

Mr. SIMMONS. I submit to the Senator, the acting chairman of the Agricultural Committee—and I am going to ask him to consider this—that he ought either to withdraw his point of order and let us deal with this question upon its merits or he ought to allow the matter to go over until he can call his committee together and make an investigation into the merits of these suggested increases. I do not mean that the Senator should act upon that immediately; but I hope that he will let this matter go over, not insisting upon his point of order at this time, and give consideration to the suggestion I am making, that he either ultimately withdraw it or have his committee meet and make another investigation of this matter.

Mr. McNARY. Mr. President—

Mr. HEFLIN. I yield to the Senator.

Mr. McNARY. With reference to the request of the Senator from North Carolina as to the policy I would pursue in this matter, I desire to say that the point of order was made, and properly so, by a member of the subcommittee, with the chairman's full consent. The point of order has been sustained by the Chair. Therefore there is no remedy at this time so far as the parliamentary situation goes.

Mr. SIMMONS. I did not know that the Chair had sustained the point of order.

Mr. HEFLIN. There has been no ruling upon this particular matter.

The VICE PRESIDENT. The Chair made a ruling some time ago.

Mr. HEFLIN. Mr. President, I did not understand that. I desire to appeal from the decision of the Chair.

Mr. BROUSSARD. Before the Chair rules, I should like to be heard on the matter.

The VICE PRESIDENT. The Chair made a ruling some time ago.

Mr. HEFLIN. None of us understood it.

Mr. RANDELL. May I ask what the ruling of the Chair was? I have been sitting here, listening very intently, and I did not hear it.

Mr. McNARY. I should like to conclude my remarks, Mr. President.

Mr. RANDELL. What was the ruling of the Chair, please?

The VICE PRESIDENT. The Chair ruled that the point of order was well taken.

Mr. HEFLIN. None of us heard it down this way.

Mr. McNARY. Mr. President, I thought I was recognized.

Mr. HEFLIN. I have not yielded the floor, but I yielded to the Senator. I want to say, though, before the Senator proceeds, that I said I wanted to be heard before the Chair ruled, and I was proceeding, and I thought the Chair was holding his ruling in abeyance. We expected to take some step when the Chair did rule, and until the Senator from Oregon made the statement that he did I never knew that the Chair had ruled.

Mr. SIMMONS. Mr. President, I had not heard the ruling of the Chair. While the Chair suggested several times that he was ready to rule, I thought he did not make a ruling because the debate was going on. If, however, the Chair has made a ruling, and that is final, and can not be changed, then I hope the acting chairman of the committee will call his committee together for the purpose of bringing in an amendment, if he finds it proper to do so, to obviate this difficulty.

Mr. McNARY. Mr. President, I was about to remark to the Senator who has just taken his seat that a few moments ago I stated to some of the Senators that I would call a meeting of the Agricultural Committee for 10.30 to-morrow to consider some of these emergency matters, and those who have any amendments of that kind can present them to the committee at that time. No one wants to impair agriculture or do it a wrong; and I know that I express the views of both the Appropriations Committee and the subcommittee when I say that they want every opportunity given to those who have demands upon the Government to have them met; and if further investigation will do it, I can say to the Senators present that they shall have that opportunity to-morrow at 10.30.

Mr. SIMMONS. That is all right.

Mr. BROUSSARD. Mr. President—

Mr. HEFLIN. I yield to the Senator.

Mr. BROUSSARD. I had intended all the time to offer an amendment and have it referred to the Agricultural Committee, and then to ask the Senate to defer this question until the Agricultural Committee had acted upon the amendment proposed. I am going to offer it now.

Mr. HEFLIN. With that statement, I am willing for the matter to rest until we can have a meeting of the committee and go into the matter.

The VICE PRESIDENT. Does the Senator from Alabama yield the floor?

Mr. HEFLIN. I do.

Mr. BROUSSARD. Mr. President—

The VICE PRESIDENT. The Senator from Louisiana.

Mr. BROUSSARD. I offer the amendment which I send to the desk, and ask its reference to the Agricultural Committee.

The VICE PRESIDENT. It will be received and so referred.

Mr. FERNALD obtained the floor.

Mr. JONES of Washington. Mr. President, will the Senator yield to me?

Mr. FERNALD. I yield.

Mr. JONES of Washington. I ask unanimous consent that when the Senate concludes its business to-day it recess until 12 o'clock to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. LENROOT. Mr. President, with reference to the amendment proposed by the Senator from Louisiana, may that amendment be read?

Mr. FERNALD. Mr. President, I thought I had the floor.

The VICE PRESIDENT. The amendment will be stated.

The ASSISTANT SECRETARY. The amendment is the same amendment that was offered from the floor—on page 30, line 7, to increase the amount in the bill by striking out "\$94,115" and inserting in lieu thereof "\$104,115."

Mr. LENROOT. Mr. President, the point I desire to make is that if there is to be a reference it would be the duty of the Chair to refer the amendment to the committee having jurisdiction, which is the Committee on Appropriations, and not the Committee on Agriculture and Forestry.

Mr. UNDERWOOD. Mr. President, on the point that is made—

Mr. FERNALD. Mr. President, I yield to the Senator from Alabama.

Mr. LENROOT. The Senate can control it, of course.

Mr. UNDERWOOD. That is what I wanted to say. The Senator from Louisiana has made a request for the reference of his amendment. In all courtesy to the Senator, both committees having jurisdiction of this matter, it should go to the committee that he desires.

Mr. LENROOT. The Committee on Agriculture and Forestry has not jurisdiction.

Mr. UNDERWOOD. Yes, it has. It can propose amendments to this bill.

Mr. LENROOT. But it has not jurisdiction over appropriations.

Mr. UNDERWOOD. I know; but it can propose amendments to this appropriation bill, and if proposed they will be in order. I am only protesting that if the Senator desires a hearing before a committee having jurisdiction he is entitled to have his request complied with.

Mr. LENROOT. If the Senator will yield, the only point I had to make with regard to the amendment of the Senator from Louisiana was that it was not necessary for him to take this course at all. The committee may bring the matter in to-morrow as an original amendment.

Mr. UNDERWOOD. The Senator is entitled to the credit for his proposal, though, if he wants it.

Mr. LENROOT. I did not mean that; but I can not, by unanimous consent, permit an appropriation measure to be referred to a committee that has not jurisdiction of the appropriation.

Mr. UNDERWOOD. I think the Chair has the right to determine the reference without unanimous consent, unless it is challenged by a motion. Then, of course, in that event the Senate has a right to determine it.

Mr. LENROOT. Yes.

Mr. UNDERWOOD. But the position I take is that either of these committees can bring in an amendment to this bill. It was understood when we sent these bills to the general Appropriations Committee that we were not going entirely to divorce committees like the Committee on Agriculture and Forestry from control of these measures. Of course, the Senate can order the amendment referred; but I am only appealing to the Chair that as the Senator from Louisiana requests that this be done, and it is in order to refer it to either committee, the request should be complied with.

Mr. POINDEXTER. Mr. President, will the Senator from Maine allow me to offer an amendment to be printed?

Mr. FERNALD. I yield; yes.

Mr. POINDEXTER. I offer an amendment to this bill, and ask that it be printed and lie on the table.

The VICE PRESIDENT. Without objection, it will be so ordered.

Mr. WILLIS. Mr. President—

Mr. FERNALD. I yield to the Senator from Ohio.

The VICE PRESIDENT. The Chair desires to state that the Senator from Louisiana offered his amendment and asked that it be referred to the Committee on Agriculture and Forestry. The Chair said that it was so referred. The Chair will entertain a motion, if any Senator desires to make it, to refer it to any other committee.

Mr. WADSWORTH. To which committee was it referred?

The VICE PRESIDENT. The Committee on Agriculture and Forestry.

Mr. FLETCHER. Mr. President, I desire to make a parliamentary inquiry. Do I understand that the Senator from Wisconsin does not question the statement that if the amendment is reported by the standing Committee on Agriculture and Forestry it will be in order if offered to this bill?

Mr. LENROOT. I do not. The only point I desire to make—and I think a very serious precedent is about to be made here—is that amendments to appropriation bills should not be referred to a committee that does not have jurisdiction, although another committee may technically have the right to offer amendments.

Mr. BROUSSARD. Mr. President, if I may be permitted, under the interpretation of the Senator from Wisconsin there is only one committee of the Senate. This is an agricultural bill. This bill is reported to this body by the chairman of the Agricultural Committee.

I wish to offer an amendment to the bill, and it should be referred to the Committee on Agriculture. Then the rules control it, after it is referred to that committee, as I understand it.

Mr. FLETCHER. It is already referred.

Mr. SIMMONS. Yes; it is already referred.

Mr. LENROOT. Of course, if that is true, I want to say that you might have an entire appropriation bill before the Senate, and at the request of a Senator it could be referred to a committee that has not jurisdiction. I do not see how an amendment to an appropriation bill can have a greater right than the bill itself.

Mr. WADSWORTH. Will the Senator from Maine yield?

Mr. FERNALD. I yield.

Mr. WADSWORTH. I am sure the Senate sees the possibilities of this situation. Every Senator knows it is the custom here for Senators to rise in their places, and, with very

little attention paid to us by anyone else, offer amendments intended to be proposed to some bill that is coming out of the Committee on Appropriations. Then, without any other Senator knowing anything about it, we may ask that the amendment be referred to a committee which has not considered the appropriation bill, and that committee, whether it be the Committee on Agriculture, or the Committee on Military Affairs, in the case of the War Department appropriation bill, or the Committee on Naval Affairs, in the case of the naval appropriation bill, may report to the Senate a flood of amendments to be attached, in order, to an appropriation bill, and the appropriation subcommittee, composed in part of members of the Committee on Agriculture, or the other committees, will know nothing about them, will have no opportunity to know anything about them, and we can absolutely destroy the symmetry of any appropriation bill brought in by the Appropriations Committee.

I think the Senator from Wisconsin is absolutely right in this matter. If we are going to proceed in this way, as is now proposed, we might just as well revise our whole procedure and give up the effort toward reform which we made a year ago.

Mr. WILLIS. Mr. President—

Mr. FERNALD. I yield to the Senator from Ohio.

Mr. WILLIS. I offer an amendment to the pending bill and ask that it be printed and referred to the Committee on Agriculture and Forestry.

Mr. WADSWORTH. Mr. President, there is an example of it. The Committee on Appropriations has no idea what that amendment is.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Oregon?

Mr. FERNALD. I yield.

Mr. McNARY. I do not think there is nearly as much evil in the situation as the Senator from New York or the Senator from Wisconsin suggests. I asked these Senators, who had an idea that the appropriations were not adequate to meet the situation, to come before the Committee on Agriculture, because of the fact that that committee will have a regular meeting to-morrow.

The VICE PRESIDENT. The Chair may be misinformed about it, but the Chair understands that, whether an amendment is referred to a committee or not, any standing committee can come in and propose an amendment to an appropriation bill. If that is true, what difference does it make whether this amendment goes to the Committee on Agriculture and Forestry or to the Appropriations Committee, or any other committee? If the Committee on Agriculture and Forestry want to propose an amendment, they can do so.

Mr. McNARY. Mr. President, that is precisely what I had in mind. I am not speaking about any particular amendment at all, or any particular provision of this bill, but the Committee on Agriculture can meet, and if it reports and recommends certain amendments which will be in order on the floor, there is no way that situation can be avoided.

Mr. WADSWORTH. Will the Senator from Maine yield?

Mr. FERNALD. I yield.

Mr. McNARY. It is the general situation, rather than a particular aspect, of which I speak.

Mr. WADSWORTH. Does the Senator think it proper, in the handling of the fiscal problems of the Government, involving \$3,000,000,000, to proceed in this way? Would the Senator believe it wise, at this point in the procedure in connection with this bill, to refer 50 amendments to the Committee on Agriculture without the knowledge of the Committee on Appropriations? How will you ever have any idea what the total of a bill is to be?

Mr. McNARY. Mr. President, I am not discussing a straw man. If to-morrow the Committee on Agriculture, after listening to the statement of the Senator from Massachusetts, believe that there is a real evil existing in permitting the corn borer to spread into Maine and New York, when it should be confined to one section, and he desires to recommend an amendment, he would be rendering a public service.

Mr. WADSWORTH. Can he not go before the subcommittee of the Committee on Appropriations?

Mr. McNARY. The subcommittee may not be in session. I am not particular which committee has the matter before it.

Mr. WADSWORTH. Can not the Senator call it into session? He is the chairman of the subcommittee.

Mr. McNARY. I made my suggestion because the Committee on Agriculture will have a regular meeting to-morrow—not for this purpose—and I thought those Senators who have grievances could well come there without going before other committees.

Mr. WADSWORTH. The Committee on Military Affairs is not busy. I can have an amendment referred to the Committee on Military Affairs, and if they see fit to report it they can do so.

Mr. JONES of Washington. Mr. President, the new rule we adopted is a substitute for paragraph 1 of rule 16. Paragraph 2 of rule 16 reads as follows:

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations.

Mr. LENROOT. It has to go to the Committee on Appropriations.

Mr. JONES of Washington. So if that is followed, the bill can not be disposed of to-morrow, but these amendments will have to go to the Committee on Appropriations.

Mr. McNARY. It does not matter, in my opinion, whether these are called amendments or not, a Senator can appear there in person to-morrow if he wants to, and the committee can report an amendment. That is the point I make in this particular instance. I am not interested about where the amendments are referred. I say the Committee on Agriculture has jurisdiction to report to-morrow upon these, whether they are called amendments or additions to the bill.

The VICE PRESIDENT. The Chair has made its ruling on the amendment offered by the Senator from Louisiana. The Chair does not think, however, that that is a good policy, and the Chair is going to refer the amendment offered by the Senator from Ohio [Mr. WILLIS] to the Committee on Appropriations, subject to the right of the Senator from Ohio to make a motion to have it referred elsewhere.

Mr. DIAL. Mr. President, I send an amendment to the desk, which I ask to have referred to the Committee on Agriculture.

The VICE PRESIDENT. Is it an amendment to the pending bill?

Mr. DIAL. It is.

The VICE PRESIDENT. The Chair will refer the amendment to the Committee on Appropriations.

Mr. LODGE. Mr. President, if the Senator from Maine will allow me—

Mr. FERNALD. I yield.

Mr. LODGE. I have an amendment which I desire to offer, and I ask that it be referred to the Committee on Appropriations.

The VICE PRESIDENT. It will be so referred.

Mr. LENROOT. Mr. President, if I may have the attention of the Senator from Louisiana for a moment, I desire to state that I certainly would not wish to take any advantage of him, but, under the rule, unless his amendment is referred to the Committee on Appropriations it will be subject to a point of order to-morrow if offered by the Committee on Agriculture, and I suggest that the Senator, for his own protection, recall his request.

Mr. BROUSSARD. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. BROUSSARD. I want to know whether or not an amendment may be referred to two committees.

The VICE PRESIDENT. The Chair does not know of any such reference.

Mr. UNDERWOOD. Mr. President, if the Senator from Maine will pardon me a moment, as this situation has come up very unfortunately in the Senator's time and is of some importance—

Mr. FERNALD. I am quite willing to yield to the Senator.

Mr. UNDERWOOD. I want to say that I was one of those on the Rules Committee who aided in the consolidation of the appropriation bills, and I think it is very important if we are going to carry out the Budget act at all that they should be consolidated. But you can not take away from the standing committees of the Senate, which have jurisdiction over certain matters and give them their particular study, their control of matters of this kind and say that the Senate itself can not act without having a revolution and destroying your Budget system. That is just as sure as that I am standing here.

I intended, if I had the time, to call to the attention of the Senate to-day—I may do so to-morrow—the fact that there is legislation in this bill in reference to the salaries of officers, coming from the Department of Agriculture, an entire reversal of what was determined on two years ago; and that legislation was put in the bill by the House. I am not reflecting on the Senate committee now, but it was provided in the House, by a rule similar to that of the Senate, that they would put the appropriations in the hands of the Committee

on Appropriations, and that legislation should be confined to the committee having legislative authority to deal with the matter.

This went in in the House, but it is in violation of the spirit of the law. Change of office and change of salary are just as much new legislation as if they wiped out some bureau entirely. The standing rules of the Senate still prevail, providing that an amendment may be offered by a standing committee of the Senate, not the standing committee; that is a protection of the bill, because no one Senator can jump it on the Senate, but it is still the law and always was—it was the law two years ago when any individual Senator could have offered an amendment such as this. The senior Senator from Kansas [Mr. CURTIS] stood right in the center aisle within the hour and called attention to the fact that the rule would authorize the reference of this amendment to the Committee on Agriculture.

Mr. LENROOT. No; that the Committee on Agriculture could recommend the amendment.

Mr. UNDERWOOD. What is the difference?

Mr. LENROOT. Under the rule, the amendment itself must go to the Committee on Appropriations to give that committee jurisdiction.

Mr. UNDERWOOD. What is the difference, if the Committee on Agriculture can offer an amendment, in providing that it can not be offered on the floor? That would be an anomaly in the rules, would it not?

Mr. LENROOT. May I read the rule?

Mr. UNDERWOOD. Certainly.

Mr. LENROOT. It provides that—

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations.

Mr. ROBINSON. Will the Senator from Alabama permit me, in that connection, to say that that proviso does not prevent the reference by the Senate of an amendment to any committee the Senate desires to refer that amendment to, and amendments of this nature are properly referred first to the committee which has jurisdiction of the subject matter, to authorize such appropriations. The effect of the action which the Senate has taken in referring the amendment of the Senator from Louisiana to the Committee on Agriculture is this: If the Committee on Agriculture reports the amendment, then before it may be considered by the Senate, if any Senator makes the point of order, the amendment will necessarily be referred also to the Appropriations Committee, under clause 2 of Rule XVI, and it will delay the final action of the Senate on the Agricultural appropriation bill until the Appropriations Committee has had the amendment before it for one day. But the Senate is entitled to have the opinion of the Committee on Agriculture on an appropriation that specifically relates to agriculture, if the Senate desires to have the committee pass upon the matter. Indeed, under Rule XVI the amendment should first go to the Committee on Agriculture.

I apprehend that Senators will not make an objection to the consideration of the amendment after it has been moved by the Committee on Agriculture, assuming that the committee reports the amendment of the Senator from Louisiana. If it should be referred to the Committee on Appropriations, the only effect of it will be to delay the passage of this bill until the Committee on Appropriations has also passed upon the amendment or has had the amendment before it for one day.

Mr. LENROOT. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Wisconsin?

Mr. FERNALD. I yield.

Mr. LENROOT. I would like to ask the Senator from Arkansas whether he does not think a proper construction of the rule is that although the amendment must be referred to the Committee on Appropriations, without a reference to it, the Committee on Agriculture, for instance, to-morrow, these amendments being introduced to-day, could move these particular amendments?

Mr. ROBINSON. Certainly the Committee on Agriculture and Forestry could move the amendment if it desired to move.

Mr. LENROOT. And be within the rules?

Mr. ROBINSON. Yes; and be within the rules.

Mr. LENROOT. And it would not be subject to a point of order?

Mr. UNDERWOOD. I think so; and that is why I say the position of the Senator from Wisconsin is an anomaly, that the Committee on Agriculture and Forestry can come in and move an amendment to the bill, and it will be in order.

Mr. LENROOT. If it has the day before been referred to the Committee on Appropriations.

Mr. ROBINSON. The Committee on Appropriations does not have to act upon it.

Mr. LENROOT. Not at all.

Mr. ROBINSON. If any Senator, after the Committee on Agriculture has reported the amendment or moved it, makes the point that it has not been in the Committee on Appropriations for 24 hours, the amendment would go there and the Senate would suspend action on the Agricultural Department appropriation bill until the expiration of 24 hours.

Mr. POINDEXTER. Mr. President—

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from Washington?

Mr. FERNALD. I yield.

Mr. POINDEXTER. As bearing on the point the Senator from Arkansas mentions, the question that would arise at that point in the proceedings, in the case of the amendment offered by the Senator from Louisiana [Mr. BROUSSARD], would be whether or not the reference of the amendment that has already been made and was made this afternoon prior to prospective action by the Committee on Agriculture did not comply with the rule. The rule says: "One day before action." Whether it means that it must be referred after it has been recommended by a standing committee or not, the rule is silent.

Mr. ROBINSON. I think, under the language of clause 2, Rule XVI, that if anyone raises the point of order, even though the amendment has been referred to the Committee on Agriculture and Forestry, it perhaps would go also to the Committee on Appropriations. The only effect of the point of order would be to delay its consideration for 24 hours, and of course the Senate would not insist upon acting upon the bill until the Committee on Appropriations had had the amendment for that length of time. If some Members of the Senate did insist upon it, there would probably be enough Members present who would want the matter passed upon by the Senate to defer action until the 24 hours had expired.

Mr. UNDERWOOD. Mr. President, just one further word before I conclude. I want to say that I believe in the interest of economy it is wise to have the appropriation bills considered by one committee. It is wise to have these matters considered where there are new matters by a committee before action. But when we come down to the question that there is nothing involved except the increase or decrease of an appropriation, when there is no new matter, as is the case in this instance, when it is only a question as to whether the appropriation is adequate, and we see under the rules of the Senate that the Senate as a body can not pass on the adequacy of an appropriation, can not increase it or decrease it, then we see that the new rules have wiped out all power in the Senate to attend to the business of the Nation so far as appropriation bills are concerned.

I am sure that it was not the intention of the Senate, when the rule was adopted, to prevent the Senate from passing on the question of how many dollars are needed for any particular project. That is all that is involved in the appropriation covered by the amendment offered by the junior Senator from Louisiana.

Mr. SMITH. Mr. President, may I ask the Senator a question right on that point?

The VICE PRESIDENT. Does the Senator from Maine yield to the Senator from South Carolina?

Mr. FERNALD. I yield.

Mr. SMITH. The construction of the rule by the Senator from Alabama is that the adequacy of the amount, when the subject matter is already in the bill, is a just subject for the Senate; but if new matter comes in with an appropriation, then that falls under the rule that it must go before the committee. But as to an increase or decrease of an appropriation to carry out a project that is already in the bill and established, it is within the province of the Senate.

Mr. UNDERWOOD. I think so, and I think if that is not the construction of the rule, then the Senate has ceased to do business, and undoubtedly that was not the intention.

Mr. JONES of Washington. May I suggest to the Senator from Alabama that in that particular the new rule is no different from the old rule. The old rule reads just exactly the same. The old rule reads as follows:

And no amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provision of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session; or unless the same be moved by direction of a standing or select committee of the Senate, or proposed in pursuance of an estimate of the head of some one of the departments.

The last phrase is changed to read:

Or proposed in pursuance of an estimate submitted in accordance with law.

Mr. UNDERWOOD. Undoubtedly, but this appropriation is all subject to a point of order or else none of it. The motion of the Senator from Louisiana [Mr. BROUSSARD] is not subject to a point of order on that basis, because there is no limit to the appropriation. It is a new appropriation.

Mr. JONES of Washington. Oh, no; the \$94,000 is pursuant to a Budget estimate and recommendation of the Appropriations Committee, while the Senator from Louisiana proposed to increase the item.

Mr. UNDERWOOD. I understand that, but it is nothing that came over from last year or that is fixed in the statutes of the country.

Mr. JONES of Washington. Oh, no; but under the new rule, as well as under the old rule, it would be subject to a point of order.

Mr. UNDERWOOD. Yes; that is true.

Mr. ROBINSON. Will the Senator permit me one word further?

Mr. FERNALD. Certainly.

Mr. ROBINSON. The purpose of the rule as now framed is that an amendment of this nature proposed by a Senator should take the course which the amendment of the Senator from Louisiana has taken. It shall be referred first to a standing committee and then, if moved by a standing committee, it shall also go to the Committee on Appropriations. It was properly referred as an individual amendment to the Committee on Agriculture and Forestry, and it is doubtful whether under the rules, objection having been made, the amendment could have been referred in the first instance to the Committee on Appropriations.

Mr. JONES of Washington. Mr. President, will the Senator from Maine yield to me to move an executive session?

Mr. FERNALD. I yield for that purpose.

EXECUTIVE SESSION.

Mr. JONES of Washington. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Thursday, January 11, 1923, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 10 (legislative day of January 9), 1923.

UNITED STATES PUBLIC HEALTH SERVICE.

Passed Asst. Surg. Sanders L. Christian to be surgeon in the United States Public Health Service, to rank as such from January 8, 1923. This officer has served the required time in his present grade and has passed the necessary examination for promotion.

POSTMASTERS.

ALABAMA.

Henry G. Reiser to be postmaster at Mobile, Ala., in place of J. B. Thornton. Incumbent's commission expired September 5, 1922.

ARKANSAS.

Dennis M. Lee to be postmaster at Flippin, Ark., in place of E. C. McBee. Office became third class July 1, 1922.

Randolph M. Jordan to be postmaster at Fordyce, Ark., in place of Red Thomas, resigned.

Dennis M. Townsend to be postmaster at Mena, Ark., in place of R. S. Allen, removed.

O. John Harkey, jr., to be postmaster at Ola, Ark., in place of E. A. Matthews. Incumbent's commission expired October 24, 1922.

CALIFORNIA.

Henry De Soto to be postmaster at Kentfield, Calif., in place of Henry De Soto. Office became third class October 1, 1922.

COLORADO.

Henry J. Stahl to be postmaster at Central City, Colo., in place of C. I. Parsons. Incumbent's commission expired October 14, 1922.

CONNECTICUT.

Weeden F. Sheldon to be postmaster at Moosup, Conn., in place of W. F. Sheldon. Incumbent's commission expired October 14, 1922.

Herbert H. Outler to be postmaster at Sandy Hook, Conn., in place of F. A. Rainer, resigned.

FLORIDA.

William H. Turner to be postmaster at Largo, Fla., in place of T. A. Duren, deceased.

Ulysses D. Kirk to be postmaster at Sebring, Fla., in place of U. D. Kirk. Incumbent's commission expired November 21, 1922.

IDAHO.

Myron A. Corner to be postmaster at Wallace, Idaho, in place of J. F. Whelan. Incumbent's commission expired September 5, 1922.

ILLINOIS.

Secondo V. Donna to be postmaster at Braidwood, Ill., in place of M. G. Sullivan. Incumbent's commission expired February 4, 1922.

Henry W. Schwartz to be postmaster at Dupu, Ill., in place of L. J. Dyroff. Incumbent's commission expired October 24, 1922.

Carl F. Miller to be postmaster at Franklin, Ill., in place of William Whalen. Incumbent's commission expired October 24, 1922.

George J. Rohweder to be postmaster at Geneseo, Ill., in place of W. H. J. Hoeft. Incumbent's commission expired October 24, 1922.

Russell Young to be postmaster at Rossville, Ill., in place of L. J. Byrne. Incumbent's commission expired October 24, 1922.

William H. Fahnestock to be postmaster at Rushville, Ill., in place of H. F. Dyson, resigned.

INDIANA.

Howard J. Tooley to be postmaster at Columbus, Ind., in place of I. A. Cox, removed.

Milton E. Spencer to be postmaster at Ossian, Ind., in place of Harry Hunter. Incumbent's commission expired July 21, 1921.

IOWA.

William C. Howell to be postmaster at Keokuk, Iowa, in place of J. F. Elder. Incumbent's commission expired November 21, 1922.

Willis G. Smith to be postmaster at Rock Rapids, Iowa, in place of P. H. McCarty. Incumbent's commission expired September 5, 1922.

Baty K. Bradfield to be postmaster at Spirit Lake, Iowa, in place of M. C. Nelson. Incumbent's commission expired September 5, 1922.

Archie C. Smith to be postmaster at Storm Lake, Iowa, in place of K. E. Morcombe. Incumbent's commission expired September 5, 1922.

MASSACHUSETTS.

Edmund Spencer to be postmaster at Lenox, Mass., in place of J. M. Johnson. Incumbent's commission expired October 1, 1922.

Edgar O. Dewey to be postmaster at Reading, Mass., in place of F. E. Gray. Incumbent's commission expired October 1, 1922.

MICHIGAN.

Frank B. Housel to be postmaster at St. Louis, Mich., in place of John Burns. Incumbent's commission expired September 13, 1922.

MINNESOTA.

William W. Tyndall to be postmaster at Grand Rapids, Minn., in place of E. C. Kiley. Incumbent's commission expired September 13, 1922.

Charles F. Wolfe to be postmaster at Kellogg, Minn., in place of D. B. Lydon. Incumbent's commission expired September 13, 1922.

George L. Chesley to be postmaster at Pipestone, Minn., in place of G. G. Stone. Incumbent's commission expired September 13, 1922.

James W. Featherston to be postmaster at Staples, Minn., in place of Joseph Wolf, removed.

MISSOURI.

Alva C. Boyd to be postmaster at Milan, Mo., in place of T. A. Dodge, resigned.

NEW JERSEY.

Charles W. Bodine to be postmaster at Morristown, N. J., in place of E. S. Burke. Incumbent's commission expired October 24, 1922.

NEW MEXICO.

Timothy B. Baca to be postmaster at Belen, N. Mex., in place of George Hoffman, resigned.

Canuto C. Sanchez to be postmaster at Santa Rosa, N. Mex., in place of Leopoldo Sanchez. Incumbent's commission expired September 5, 1922.

NEW YORK.

Guy M. Lovell to be postmaster at Camillus, N. Y., in place of Thomas Conners. Incumbent's commission expired September 19, 1922.

Wright B. Drumm to be postmaster at Chatham, N. Y., in place of H. W. McClellan. Incumbent's commission expired November 21, 1922.

Herbert R. Foshay to be postmaster at Mamaroneck, N. Y., in place of J. A. McDonald, resigned.

George F. Hendricks to be postmaster at Sodus, N. Y., in place of M. M. Kelly. Incumbent's commission expired September 28, 1922.

Fred D. Jenkins to be postmaster at Webster, N. Y., in place of P. J. Smith, resigned.

NORTH CAROLINA.

Lewis E. Norman to be postmaster at Elk Park, N. C., in place of T. G. Tucker, resigned.

NORTH DAKOTA.

Milo C. Merrill to be postmaster at Flaxton, N. Dak., in place of W. S. Town. Incumbent's commission expired February 11, 1920.

OHIO.

Herbert Newhard, sr., to be postmaster at Carey, Ohio, in place of William Zahn. Incumbent's commission expired September 19, 1922.

William H. Taylor to be postmaster at Cuyahoga Falls, Ohio, in place of C. D. Crumb, resigned.

William H. Harsha to be postmaster at Portsmouth, Ohio, in place of L. V. Harold. Incumbent's commission expired September 19, 1922.

Clifford D. Calkins to be postmaster at Sylvania, Ohio, in place of A. N. Warren. Incumbent's commission expired September 19, 1922.

PENNSYLVANIA.

Ralph B. Kunkle to be postmaster at Homer City, Pa., in place of J. J. Campbell. Incumbent's commission expired September 13, 1922.

Daniel M. Saul to be postmaster at Kutztown, Pa., in place of Llewellyn Angstadt. Incumbent's commission expired September 13, 1922.

Robert H. Stickler to be postmaster at Lansford, Pa., in place of D. P. Johnson. Incumbent's commission expired September 13, 1922.

Stanley M. Wray to be postmaster at Leechburg, Pa., in place of J. B. Parks. Incumbent's commission expired September 13, 1922.

William H. Young to be postmaster at McDonald, Pa., in place of R. M. McCartney. Incumbent's commission expired September 13, 1922.

Thomas E. Rudolph to be postmaster at Morton, Pa., in place of Margaret Pilson, resigned.

Bess L. Thomas to be postmaster at New Bethlehem, Pa., in place of W. H. Keener, resigned.

Eli F. Poet to be postmaster at Red Lion, Pa., in place of Harvey Ziegler, resigned.

TENNESSEE.

Robert O. Greene to be postmaster at Troy, Tenn., in place of Davy Crockett, resigned.

WEST VIRGINIA.

E. Chase Bare to be postmaster at Alderson, W. Va., in place of J. N. Alderson. Incumbent's commission expired November 21, 1922.

Horatio S. Whetsell to be postmaster at Kingwood, W. Va., in place of B. L. Brown. Incumbent's commission expired November 21, 1922.

Thomas C. Scott to be postmaster at Philippi, W. Va., in place of W. G. Keyes. Incumbent's commission expired November 21, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 10 (legislative day of January 9), 1923.

PROMOTIONS IN THE NAVY.

MARINE CORPS.

Rufus H. Lane to be adjutant and inspector.

Henry C. Davis to be colonel.

Henry M. Butler to be major.

To be second lieutenants.

Luther A. Brown.
Evans F. Carlson.

Clifton L. Marshall.
Gregory A. Williams.

POSTMASTERS.

ILLINOIS.

Christy C. Roper, Carriers Mills.
Orville L. Davis, Champaign.
Louis A. Luetgert, Elmhurst.
Roy F. Dusenbury, Kankakee.
Anna M. Tennysen, Manhattan.
Lewis R. Inman, Oswego.
Owen A. Robison, Palmyra.
Robert H. Christen, Pecatonica.
Vernon G. Keplinger, Waverly.

IOWA.

Charles A. Frisbee, Garner.
Jacob E. Rogers, Lenox.
Elsie A. Haskell, Luverne.
Eunice M. Bute, Stanhope.

MARYLAND.

William O. Yates, La Plata.
Perry A. Gibson, Rising Sun.

MICHIGAN.

Harry B. McCain, Alpena.

MISSISSIPPI.

Lizzie D. Oltenburg, Winona.

NEW JERSEY.

Dante Caporale, Fairview.

NORTH CAROLINA.

Ulysses C. Richardson, Asheboro (late Ashboro).
James E. Correll, China Grove.
Russell A. Strickland, Elm City.
Rufus W. Caswell, Forest City.
Samuel S. Weir, Kings Mountain.
Clyde G. Mullen, Lincolnton.
Blanche S. Wilson, Warsaw.

OHIO.

William H. Hunt, Mechanicsburg.
Arthur G. Williams, Perrysburg.

OKLAHOMA.

Henry W. Hoel, Jennings.

WEST VIRGINIA.

J. Lee Heavner, Buckhannon.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 10, 1923.

The House met at 12 o'clock noon, and was called to order by Mr. CAMPBELL of Kansas as Speaker pro tempore. The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our hope and trust are in Thee, O God our Heavenly Father. As we live under Thy law, help us to do so lovingly and generously, and we shall find the burden light and the yoke sweet. Protect the sanctities of American home life and the usefulness of all Christian institutions. May the watchwords of our country be righteousness, humanity, the common good, and an intelligent, healthy, happy social order. Preserve our land from a destructive materialism that thrives on selfishness and hypocrisies. Crush the seeds of ill will in the soils of the earth. This day let Thy work appear unto Thy servants and Thy glory unto their children. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

CONFERENCE REPORT—DEFICIENCY APPROPRIATION.

Mr. MADDEN. Mr. Speaker, I offer a conference report for printing under the rule.

The SPEAKER pro tempore. The gentleman from Illinois offers a conference report for printing. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13615) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1923, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1923, and for other purposes.

The SPEAKER pro tempore. Ordered printed under the rule.